

RP123

HUBS CONST.

PEYTE QUARRY

wed @ 1:00

Stringfellow Pit

Riverside

Mining Ltd.

RP123

Via Central Messenger Stop List RIVERSIDE

TO:

STOP	DEPARTMENT	STOP	DEPARTMENT	STOP	DEPARTMENT
1020	ADMINISTRATIVE OFFICE	3890	GENERAL HOSPITAL	2360	MUNICIPAL COURT RIVER
1250	AGRICULTURAL COMM	3890	MIA TRAILER R-1	2580	OFFICE ON AGING
1100	ASSESSOR	2630	GRAND JURY	3970	PARKS
1050	AUDITOR	2320	HEALTH SERVICES	1150	PERSONNEL
1160	AUDITOR PAYROLL	3760	HOUSING AUTHORITY	1190	PERSONNEL EMPL. BENEF
2540	AUTOMOTIVE MAINTENANCE	2570	J T P A	3709	PERSONNEL CAREER OP I
2560	AVIATION	2300	JURY COMM	1070	PLANNING
1001	BOARD OF SUPERVISORS	3940	JUVENILE COURT	3702	PRINTING SERVICES
2600	BUILDING SERVICES	3900	JUVENILE HALL	2470	PROBATION
1130	BUILDING & SAFETY DISTRICT	3860	JUVENILE TRAFFIC	3910	PROBATION JUVENILE DIV
3715	BUILDING SAFETY ADMIN.	1030	LAFCO	3700	PUBLIC ADMINISTRATOR
1090	CAFETERIA	2340	LAW LIBRARY	2520	PUBLIC DEFENDER
1230	CENTRAL MAIL	2530	MARSHAL RIVERSIDE	3850	PUBLIC DEFENDER JUVEN
1010	CLERK OF THE BOARD	3800	MN HLTH ACCNTING SERV	3701	PURCHASING
3740	COMMUNICATIONS	3790	MN HLTH ADMINISTRATION	1220	QUICK PRINT
1055	COM CAC 11TH FLOOR	3810	MN HLTH ADULT SERVICES	1040	REDEVELOPMENT
2590	COMMUNITY ACTION	2610	MN HLTH ALCOHOL CONTROL	2510	REGISTRAR OF VOTERS
2480	CORONER	3730	MN HLTH ALCOHOL DETOX CTR	1080	ROAD DEPARTMENT
2420	COUNTY CLERK	3920	MN HLTH CHILDREN RES	1260	ROAD D.P. BASEMENT, RM
2640	CNTY CLERK APPEALS SECT	3710	MN HLTH CHILDRENS TREAT	1170	SAFETY
1140	COUNTY CLERK RECORDER	2400	MN HLTH CONSERVATORSHIP	3980	SHERIFF ACADEMY OF JU
2620	CNTY CLERK CRIMINAL FILE	2390	MN HLTH CONT COMM CARE	2450	SHERIFF ADMIN. 4050 Ma
2350	COUNTY COUNSEL	3750	MN HLTH CONT COMM CARE	2500	SHERIFF ACCT. & FINANCE
5001	CO-OP EXTENSION	3811	MN HLTH CRISIS/OUTPATIENT	2490	SHERIFF CAL ID
3720	DPSS	3820	MN HLTH DATA PROCESSING	2504	SHERIFF CIVIL BUREAU
2370	DA FAMILY SUPPORT	2380	MN HLTH DRUG ABUSE	3745	SHERIFF DISPATCH
2560	DATA PROCESSING, BROCKTON	3931	MN HLTH FORENSICS	2505	SHERIFF JAIL PLANNING
1060	DATA PROCESSING 10th FLOOR	3870	MN HLTH GENERAL HOSPITAL	3747	SHERIFF PATROL & INVEST
3895	DATA PROCESSING RGH	3770	MN HLTH JEFFERSON HOUSE	2410	SUPER. COURT CRIMINAL
1115	DEFERRED COMP.	3780	MN HLTH MATL MNGMT	2430	SUPER. COURT FAMILY LA
1120	DISTRICT ATTORNEY	3930	MN HLTH OLDER ADULT	3703	SUPPLY SERVICES
2330	ECONOMIC COMMUNITY DEV	3830	MN HLTH PATIENT RIGHTS	1110	TAX COLLECTOR/TREASUR
1210	EMERGENCY SERVICES (FIRE)	3831	MN HLTH PERSONNEL	3871	VAN HORN YOUTH CENTE
2440	EXEC OFF/JURY COMM	1200	MN HLTH PUBLIC GUARDIAN	2310	VETERANS SERVICES
2550	FAMILY LAW	3840	MN HLTH VOLUNTEER SERV	3950	WASTE DISPOSAL
1240	FIRE PLANNING & ENG	3960	MUNICIPAL COURT JURUPA	3705	WEIGHTS & MEASURES
3990	FLOOD CONTROL			1180	WORKER'S COMPENSATIO

ATTENTION:

Steve Kuperman

DATE:

10/11/89

FROM:

*Joe Rank
Co. Counsel*

**PLEASE highlight mail st
number and department nam**

**Use attention line(s) to ass
intramail stop routing.**

RECEIVED

OCT 12 1989

General Form 33 (12-88) Reorder #
02-0033

**RIVERSIDE COUNTY
PLANNING DEPARTMENT**

Via Central Messenger Stop List

RIVERSIDE COUNTY LOCATIONS

Central and Eastern Areas

TO:

STOP	DEPARTMENT	STOP	DEPARTMENT
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BANNING

5010 ALL DEPTS. NOT LISTED
 5011 ASSESSOR'S OFFICE
 5012 BUILDING & SAFETY
 5013 DISTRICT ATTORNEY'S OFFICE
 5015 DA FAMILY SUPPORT
 For Banning Departments not listed use
 STOP #5010 and call the person getting
 the mail and ask them to pick it up
 at PROBATION.

BLYTHE

4095 ALL DEPTS. NOT LISTED
 For BLYTHE Departments not listed use
 STOP #4095 and call the person getting
 the mail and ask them to pick it up at the
 CAC RECEPTION DESK.

CORONA

5050 ALL DEPTS. NOT LISTED
 Room 102

COACHELLA

4005 AGRICULTURAL COMM.
 4010 CO-OP EXTENSION

DESERT CENTER

4090 CSA #51

HEMET

5020 ALL DEPTS. NOT LISTED
 5025 BUILDING & SAFETY
 For HEMET Departments not listed use
 STOP #5020 and call the person getting
 the mail and ask them to pick it up at
 the ASSESSOR'S OFFICE.

INDIO

4055 ALL DEPARTMENTS NOT LISTED
 4015 ASSESSOR
 4050 AUTOMOTIVE MAINTENANCE
 4042 BOARD OF SUPERVISORS
 4055 BUILDING SERVICES
 4036 BUILDING & SAFETY
 4030 COMMUNICATIONS
 4040 CORONER
 4034 COUNTY CLERK
 4020 DA FAMILY SUPPORT
 4080 J T P A
 4065 JUVENILE HALL
 4031 LAW LIBRARY
 4075 MARSHAL DESERT
 4070 MUNICIPAL COURT DESERT
 4060 NATIONAL DATE FESTIVAL
 4035 PLANNING
 4037 PROBATION
 4041 PUBLIC DEFENDER
 4032 ROAD DEPARTMENT
 4025 SHERIFF
 4033 SUPERIOR COURT
 4039 VETERANS SERVICES
 For INDIO departments not listed use
 STOP #4055 and call the person getting the mail
 and ask them to pick it up at CAC Room 312.

LAKE ELSINORE

5040 ALL DEPTS. NOT LISTED
 For LAKE ELSINORE Departments not listed
 use STOP #5040 and call the person getting
 the mail and ask them to pick it up at
 the SHERIFF'S DEPT.

PALM SPRINGS

4000 ALL DEPTS. NOT LISTED
 4001 MUNI. COURT DESERT, ADMIN.
 For PALM SPRINGS Departments not listed
 use STOP #4000 and call the person getting
 the mail and ask them to pick it up at the
 ASSESSOR'S OFFICE.

PERRIS

5030 ALL DEPTS. NOT LISTED
 5035 BUILDING & SAFETY
 5036 FIRE PROTECTION, ADMIN.
 For PERRIS Departments not listed use
 STOP #5030 and call the person getting the
 mail and ask them to pick it up at MUNI COURT.

ATTENTION: _____

DATE: _____

FROM: _____

**PLEASE highlight mail stop number and
 department name. Use attention line(s)
 to assist intramail stop routing.**

GERALD J. GEERLINGS
COUNTY COUNSEL

PRINCIPAL DEPUTIES

PETER H. LYONS, CHIEF
EDWARD D. PALMER
WILLIAM C. KATZENSTEIN

OFFICE OF THE
COUNTY COUNSEL
RIVERSIDE COUNTY
3535 TENTH STREET, SUITE 300
RIVERSIDE, CALIFORNIA 92501-3674
TELEPHONE (714) 787-2421

DEPUTIES

GERALD BLANKENSHIP, JR.
FRANK C. ALDRICH III
TIMOTHY J. DAVIS
ROBERT L. KLOTZ
JAY G. VICKERS
MICHAEL D. ELLIS
ROBERT M. PEPPER
DOROTHY L. HONN
JOE S. RANK
KATHERINE A. LIND
JAMES J. BRZYTWA
SHERRY G. GORDON
PAMELA J. ANDERSON
LEE A. VINOCOUR
GORDON V. WOO
BEAUFORD T. MILLER
BETH A. MELVIN
KARIN L. WATTS
MARSHA L. VICTOR
WILLIAM A. JARVIS
NEAL R. KIPNIS
ANTHONY A. SEARS
GLORIA E. SYDORIAK

October 10, 1989

Mr. John Sheldon
8531 Mission Blvd., Space 13
Riverside, CA 92509

Re: Blasting at Hubbs Quarry

Dear Mr. Sheldon:

Your letter to Supervisor Dunlap dated September 25, 1989, regarding blasting at Hubbs Quarry has been referred to this office for response. In your letter you express a concern over blasting activities being conducted at the quarry and cite County Ordinance No. 555 saying that the ordinance should be enforced against the owners of the quarry.

Section 12 of the ordinance excepts from control under the provisions of the ordinance those surface mines which were in operation prior to the adoption of the ordinance in 1976. An investigation by the County indicates that the quarry in question was in operation prior to 1976, and has been continuing to operate since that date. Thus, the quarry would not come under current regulation by the ordinance.

Very truly yours,

GERALD J. GEERLINGS
County Counsel



By: Joe S. Rank
Deputy County Counsel

GB:bln
3286LIT

cc: Supervisor Dunlap
Steve Kupferman, Planning Department

STEVEN KUPFERMAN
RIVERSIDE COUNTY GEOLGIST
4080 LEMON STREET
RIVERSIDE, CA.

RECEIVED
OCT 2 1989

RIVERSIDE COUNTY
PLANNING DEPARTMENT

RE: DRILLING AND BLASTING ACTIVITY AT THE HUBBS QUARRY.
ORDINANCE 555

MR. KUPFERMAN:

THE FOLLOWING IS A RECAP OF OUR CONVERSATIONS DURING THE PAST YEAR AND FACTS RELEVANT TO THIS ISSUE.

JANUARY 24, 1989:

I MET WITH YOU CONCERNING BLASTING ACTIVITY AT THE HUBBS QUARRY. YOU STATED THAT YOU WERE CONCERNED ABOUT THE EFFECTS ON THE WELLS AT THE STRINGFELLOW TOXIC DUMP. YOU STATED THAT YOU THOUGHT THE REMOVAL OF OVERBURDEN AND ROCK WOULD HAVE DETRIMENTAL EFFECT ON THE ALREADY FRACTURED BEDROCK. YOU STATED THAT HUBBS WAS BLASTING 1 TIME PER YEAR YIELDING 11,000 TONS.

FEBRUARY 1, 1989:

I INFORMED YOU THAT A BLAST HAD OCCURRED AT THE HUBBS QUARRY ON MONDAY, JANUARY 30, 1989. YOU STATED THAT YOU HAD NOT BEEN INFORMED OF A BLAST. YOU STATED THAT IF HUBBS INTENDED TO EXPAND THEIR OPERATION THAT YOU WOULD REQUIRE AN E.I.R. AND VIBRATION STUDIES. YOU STATED THAT THESE REQUIREMENTS WOULD MAKE IT VERY DIFFICULT FOR THEM TO EXPAND.

FEBRUARY 25, 1989:

YOU STATED TO ME THAT YOU THOUGHT MY CONCERNS WERE VALID.

APRIL 7, 1989:

HUBBS DETONATES 30,000 LBS. OF EXPLOSIVE AT THEIR QUARRY.

JUNE 25, 1989:

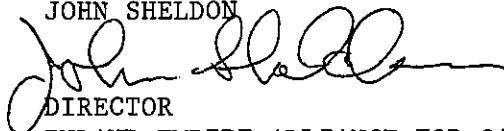
AT THE STRINGFELLOW COMMUNITY MEETING, WE DISCUSSED THE DEFINITIONS OF SUBSTANTIAL CHANGE IN REGARDS TO HUBBS MINING ACTIVITY AND MINING ORDINANCE 555. YOU STATED THAT YOU HAD TAKEN A SURVEY OF OTHER COUNTIES IN CALIFORNIA AND FOUND THAT SOME WILL NOT ALLOW UPGRADING AS HUBBS HAS DONE IN 1988 AND 1989.

EVEN AS YOU READ THIS LETTER, ACTIVITY AT THE HUBBS QUARRY IS BOOMING. LAST WEEK THEY POSITIONED FOUR DRILLS AT THE SOUTH SIDE OF THE QUARRY AND BEGAN TO DRILL. NEW LOADERS HAVE BEEN MOVED IN AND HAVE BEEN IN OPERATION DAILY. TRUCKS LOADED WITH RIPRAP HAVE BEEN LEAVING THE QUARRY AT THE RATE OF 1 TRUCK EVERY 7 MINUTES, 8 TO 10 HOURS PER DAY. THE SHAPE OF THE QUARRY HAS CHANGED DRASTICALLY SINCE JANUARY 1989 AS VISUAL INSPECTION WILL CLEARLY INDICATE .

THIS EXPANSION AT THE HUBBS QUARRY IS A CLEAR AND FLAGRANT VIOLATION OF MINING ORDINANCE 555! THIS ORDINANCE MUST BE ENFORCED! IN VIEW OF THE CURRENT EXPANSION ACTIVITY AT THE HUBBS QUARRY, THE COUNTY'S HISTORICAL RECORDS REFERRING TO MONITORING OF QUARRY ACTIVITIES MUST BE COMPARED TO THE RECENT UPGRADES. WHAT ACTIONS WILL YOU TAKE? WILL YOU INVESTIGATE THE SUBSTANTIAL CHANGES TAKING PLACE AT THE HUBBS QUARRY, IF SO HOW AND WHEN? WILL YOU CONTINUE TO BE ON THE RECORD SUPPORTING EFFORTS TO STOP THE DRILLING AND BLASTING ACTIVITY AT THE HUBBS QUARRY? THIS ISSUE WILL NOT GO AWAY, NOW IS THE TIME TO GO ON RECORD WITH YOUR POSITION CONCERNING HUBBS MINING ACTIVITY NEXT TO THE STRINGFELLOW TOXIC DUMP. I WILL EXPECT YOUR RESPONSE WITHIN 10 DAYS OR ASSUME THAT YOU WILL CONTINUE TO DO NOTHING AND STAND IDLE WHILE HUBBS OPERATES OUTSIDE THE LIMITS OF THE LAW.

ON SEPTEMBER 12, 1989 YOU TOLD ME TO STAY ON THE ISSUE OF MINING ORDINANCE 555 AND YOU WILL SHUT HUBBS DOWN. THE FACTS ARE CLEAR, HUBBS HAS VIOLATED ORDINANCE 555 AND MUST BE SHUT DOWN.

JOHN SHELDON



DIRECTOR

INLAND EMPIRE ALLIANCE FOR SAFE WATER

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OCT 2 1989

RIVERSIDE COUNTY
PLANNING DEPARTMENT

RECEIVED BY _____ DATE/TIME _____

THOMPSON & COLEGATE

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

3610 FOURTEENTH STREET

P. O. BOX 1299

RIVERSIDE, CALIFORNIA 92502

(714) 682-5550

October 10, 1989

H. L. THOMPSON
(1885-1962)

ROY W. COLEGATE
(1906-1960)

JAMES M. WORTZ
OF COUNSEL

FAX (714) 781-4012

DON C. BROWN*
JAMES D. WARD*
LEIGHTON B. TEGLAND
DON G. GRANT
J. E. HOLMES, III
ROBERT B. SWORTWOOD
JOHN W. MARSHALL
JOHN A. BOYD
OUANE A. NEWTON
GEOFFREY H. HOPPER
WALTER L. FARMER
MICHAEL A. GOLDWARE
MICHAEL J. MARLATT
JAMES R. PARRETT
LARRY E. WHITE
JOAN F. ETTINGER

M. WAYNE TUCKER
DIRK E. SILVA
DAVID JOHN PORRAS
J. ALAN PLOTT
MAXINE M. MORISAKI
LISA V. KLUM
JASON A. NOYES
SHARYN E. ZASLOFSKY
PAUL A. PEREIRA
JOHN HARTSHORNE
LEIGH S. GREER
MARIA L. MERKOWITZ

*A PROFESSIONAL CORPORATION

REPLY
ATTENTION:

John A. Boyd

Steve Kupferman
Engineering Geologist
Riverside County Planning Dept.
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Dear Mr. Kupferman:


In conjunction with the office of the Supervisor of the Second District for Riverside County, the Honorable Melba Dunlap, our office on behalf of Paul Hubbs Construction would like to invite you to attend the next blasting operation at the Stringfellow Quarry. We are confident that this will allow the best opportunity to witness first hand the operations of the quarry, and the practices, procedures and monitoring that occur during blasting operations and help improve the lines of communication between the interested parties.

Accordingly, this is to inform you that Hubbs Construction anticipates conducting a blast at the Stringfellow Quarry on Pyrite Road in the County of Riverside during the week of October 23rd through October 27th, 1989. Due to the nature of the work being done at the quarry, it is impossible at this time to pin down an exact date and time as to when the blast will be set for observation. The blast will likely be in the afternoon, and we will remain in close contact with you as the date and time of the blast solidifies.

We anticipate that this blast will provide all parties a satisfactory opportunity to observe the relevant operations of the quarry and will lead to a resolution of this dispute. Please direct all correspondence and inquiries regarding the above-referenced matter to this office.

Again, we will keep you apprised of the date and time of the blast, and anticipate that you will make every attempt to keep your calendar open due to the relatively short notice of the blast that may be necessary because of the nature of the quarry business.

Very truly yours,


JOHN A. BOYD of
THOMPSON & COLEGATE

RECEIVED
OCT 12 1989

RIVERSIDE COUNTY
PLANNING DEPARTMENT

KEM:lw
cc: Tony Paredes, Hubbs Construction

RP173

COUNTY COUNSEL

GERALD J. GEERLINGS



Memorandum

August 8, 1989

TO: Melba Dunlap, Supervisor, District II
Tom Ingram, Director, Building & Safety
Glen Newman, County Fire Warden
Mark Balys, Deputy Director, Planning
Steve Kupferman, Engineering Geologist, Planning

FROM: *JSR*
Joe S. Rank, Deputy County Counsel

RE: Regulation of "Blasting" Connected with Surface Mining Operations

Pursuant to the meeting of July 21, 1989, we have roughed out the proposed amendments to Riverside County Ordinance No. 555.

As far as time of blasting and other related conditions are concerned, it would seem appropriate to have those stated on the permit. We have attached the forms currently used by the Sheriff's Department. Included is a copy of the procedures followed, the current list of permittees in the Riverside City area and the number of permittees in the areas of the County.

In our discussion with individuals in the Sheriff's Department, it was their opinion that land use would be the appropriate issuing authority for permits.

After reviewing the attached information, it may be appropriate to meet once again and establish ongoing policies and procedures for blasting, as well as review other possible controls.

JSR:bln
251LIT

Encl

RECEIVED
AUG 9 1989

RIVERSIDE COUNTY
PLANNING DEPARTMENT

ORDINANCE NO. 555.

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
IMPLEMENTING THE SURFACE MINING
AND RECLAMATION ACT OF 1975

The Board of Supervisors of the County of Riverside
Ordains as Follows:

Section 1. Section 6 is amended to include subsection
h., which reads as follows:

h. If any explosives, as defined in Health & Safety
Code §12000, are to be used in conjunction with a surface mining
operation, it shall be the permittee's (as defined in Health &
Safety Code §12101) responsibility to comply with the following
provisions:

(1) Application for a permit ^{blasting} shall be on such form
as prescribed by the issuing authority which includes
any amendments that may from time to time be adopted by
such issuing authority.

(2) At least three (3) days prior to any blasting,
all individuals residing or having a business within
1,000 feet of the proposed blasting location, the
issuing authority, and the County Department of Building
& Safety, shall be notified, by means reasonably
calculated to allow for actual notice, of the proposed
date and time of the scheduled blasting.

(3) A record of each blast, including
seismographic data, shall be retained for at least two
(2) years and shall be available for inspection by the

County of Riverside. Such record shall contain the following data:

- (a) Location, date and time of blast.
- (b) Name, signature and license number of blaster-in-charge.
- (c) Direction and distance, in feet, to the nearest improvement and residence.
- (d) Weather conditions, including temperature, wind direction and approximate velocity.
- (e) Number of holes, burden and spacing.
- (f) Diameter and depth of holes.
- (g) Types of explosives used.
- (h) Total weight of explosives used.
- (i) Maximum weight of explosives detonated within any 8-milliseconds period.
- (j) Maximum number of holes detonated within any 8-milliseconds period.
- (k) Type of initiation system.
- (l) Type and length of stemming.
- (m) Type of delay detonator and delay periods used.
- (n) Sketch of the delay pattern.
- (o) Seismogram including the calibration signal of the gain setting and:
 - [1] Seismographic reading, including location of seismographic and its distance from the blast;

[2] Name of the person taking the
seismographic reading; and

[3] Name of the person and firm
analyzing the seismographic record.

Section 2. This ordinance shall become effective thirty
days after adoption.

JSR:bln
4206LIT
8/2/89

EXPLOSIVE APPLICATION/PERMIT PROCESS

1. Applicant desires permit.
 - a. Must be person(s) conducting the blasting ^{California}
 - b. Must have valid State of California Blasting License or documentation certifying the applicant has successfully completed the state examination for blasters license.
2. Applicant to contact Sheriff accounting and finance department.
 - a. \$15.00 for permit.
 - b. \$23.50 for photo, fingerprinting and processing
 - c. Applicant pays a total of \$38.50, payable to "Riverside County Sheriff". Payment must be cash or a money order, no personal checks allowed.
 - d. Applicant receives a receipt for the amount of payment which is presented the blasting investigator for verification.
3. Applicant to contact Sheriff station of jurisdiction where blasting is to occur.
 - a. Completes "Explosive Application and Permit" and the "Fingerprint Information Sheet". (This is accomplished by the investigator assigned to the blasting permit function).
 - b. Application is fingerprinted, two copies, and photographed at the sheriff station of jurisdiction (In Riverside this will be accomplished at Sheriff Information Service Bureau).
 - c. Fingerprints, and photos are forwarded to California "Department of Justice" for processing. The fingerprint information sheet is forwarded to the Information Service Bureau in Riverside.
 - d. Applicant is advised the permit will be valid in 15 days contingent on the results from the D.O.J. check.
4. Applicant will be directed to contact Riverside County Fire Department.
 - a. Must take with him/her a map of the location where the blasting will occur.
 - b. Must notify the Fire station in the initial response area of the date and time of the blasting.

5. Hazardous Device Team

- a. H.D.T. to conduct an inspection of the site bunkers. Inspection will be arranged by the investigator handling the blasting permit.
- b. H.D.T. to notify the investigator of the results of their inspection.

6. Other Agencies to be Notified by explosive investigator.

- a. California Department of Forestry
- b. California Highway Patrol (if they are to be affected)
- c. Riverside County Sheriff (affected station, if that station is not issuing the permit).

7. Miscellaneous information

- a. Permit will be issued to applicant in 15 days.
- b. Permit to be valid for one year from date of issuance.
- c. Renewal for permit will be the same process, and cost, as the initial permit.
- d. If any additional people are to be listed on the permit, each person will have to be processed and pay the \$23.50 processing fee. Their names will be added to the permit.
- e. The permit will be valid for the County of Riverside only. Cities contracted to Riverside Sheriff do not fall under these guidelines. Persons applying for blasting permits in contract cities are to be referred to the individual city for permits. *fire dept*
- f. The permit holder must notify the sheriff station of jurisdiction prior to every blast.
- g. Information contained on the permit application to remain confidential.
- h. A copy of the permit must be on-site when blasting occurs.

EXPLOSIVE PERMITS

<u>NAME</u>	<u>FILE NUMBER</u>	<u>EXPIRED</u>
Alderhorst Dog Training David John Reaver 3951 Veron Riverside, Ca. 92509 HM- (714) 685-1997 WK- (714) 685-2430	ER89038050	2/20/90
A & W Contractors Arthur Allen Wallace 334 Tamarak Ave. Escondido, Ca. 92506 (619) 734-6075	ER88257056	9/26/89
Marvin Lane Beamon 1015 West 5th Street San Bernardino, Ca. 92411 HM (714) 874-0957 WK (714) 884-8388 Msg (714) 888-7006	ER89060032	3/14/90
Tom C. Dyke John Elias Rios P.O. Box 352 Alpine, Ca. 92001 HM (619) 443-5908 WK (619) 445-2270	ER88147075 ER89067037	6/9/89 3/21/90
EMC Systems Gregory Marr P.O. Box 1386 Victorville, Ca. 92392 WK (619) 245-2052	ER89023051	2/5/90

Tommy Edward Fairfax 26382 Ives Way El Toro, Ca. 92630 HM (714) 458-7612 WK (714) 770-2635	ER88263044	10/3/89
Goffman & McCormick John James McCormick 22822 Granite Way Laguna Hills, Ca. 92653 HM (714) 552-3224 WK (714) 951-1808	ER88245030	9/14/89
Emmett Carl Harder 18201 Muriel Ave San Bernardino, Ca. 92407 HM (714) 887-3436	ER89059035	3/13/90
James Marvin Hurst 12171 Telephone #2 Chino, Ca, 91710 HM (714) 591-9685	ER88209079	7/10/89
M.J. Baxter Drilling Terrence George Barrett 12485 Hwy 67 Lakeside, Ca. 92040 HM (619) 562-0786 WK (619) 443-7800	ER88231053	8/31/89
Woodward Clyde Consultant Ronald Loves Mees 203 N. Golden Circle Santa Ana, Ca. 92705 HM (714) 628-7676 WK (714) 835-6886	ER89045039	2/27/90
Merlin Johnson Construction Merlin Kenneth Johnson P.O. BOX 777 Mentone, CA, 92359 HM (714) 794-1390 WK (714) 794-4772 Msg (714) 794-7702	ER88029067	11/13/89

Everett Carl Love
11247 Royal Palm
Riverside, Ca.
HM (714) 687-3169

ER88168031
ER89038038

6/30/89
2/20/90

Romo
Loui Cortez Romo
773 South 7th
Colton, Ca. 92324
HM (714) 825-8162

ER89059044

3/13/90

Nicholas Rose
4150 Chicago
Riverside, Ca. 92506
HM (714) 783-0143
WK (714) 351-6684

ER88236080

9/6/89

Rock Tech
Jonathan Carl Byrd
989 W 7th Street
San Jacinto, CA. 92383
HM (714) 654-8626
WK Same As Home

ER89003041

2/10/90

Edwin Eugene Santee
21212 Regal Vista Ct.
Lake Mathews, Ca. 92370
HM (714) 780-7287
WK (818) 331-3371

ER88242080

9/12/89

Spirit Drilling & Blasting
David Scott Lucas
11169 Caribou Ave
Apple Valley, Ca. 92307
HM (619) 240-4478
WK (619) 240-4099

ER89017026

1/30/90

Brain David Verona
1339 Elderberry Ave.
Ontario CA, 91762
HM (714) 981-8729

ER88124058
ER89041082

5/17/89
2/23/90

Donald Darwin Watts 2750 W. Acacia Sp. H17 Hemet, Ca. 92343 HM (714) 925-5052 WK (714) 737-3575	ER88096037	4/19/89
E L Yeager Construction Daniel Boone Hunter 1995 Agua Mansa Riverside, Ca. 92501 HM (714) 797-0446 WK (714) 684-5360	ER89089056	4/12/90
California Drilling & Blasting Billy Ray Adair 4144 N. Arden Elmonte, Ca. 91731 HM (619) 253-3675 WK (619) 443-0310 Msg (213) 283-6770	ER88319047	11/28/89
Robbin Christianson 10660 Lind Ave Loma Linda, Ca. 92354 HM (714) 796-2867	ER88343047	12/22/89
Eject Blasting Service Paul Frances Goethals 7431 Magnolia Ave #108 Riverside, Ca. 92504 HM (714) 359-7789 Msg (714) 359-7782	ER88202043	8/4/89
Inland Valley Construction Kenneth Ralph Carvso 8969 Veron Ave Montclair, Ca. 91763 HM (714) 946-5310 WK (714) 985-9821	ER88166089	6/27/89
Raymond Leon McCully 18482 San Bernardino Ave Boomingtown, Ca. HM (714) 829-2819 Car Phone (714) 321-5114	ER88328037	12/7/89

Corona Rock Company
Santiago Rodriquez Jr.
P.O Box 2229
Corona Ca. 91719-2229
HM (714) 654-9821
WK (714) 736-7600

ER88246047

9/15/89

Herbert Holt
2623 Yorba Linda Blvd
Fullerton, Ca.
HM (714) 526-6721
WK (714) 995-1133

ER88271059

10/11/89

Miles Drilling & Blasting
Mason Edward Miles Jr.
2301 Vineyard Ave.
Escondido, Ca. 92025
HM (619) 726-5452
WK (619) 745-3794

ER88313050

11/22/89

Donald Alvin Capps
11259 Sonora Trail
Redding, Ca. 96003
HM (916) 241-4735

ER88305074

11/13/89

Broco Inc.
Douglass Smith
2824 N. Locust Ave.
Rialto, Ca. 92376
WK (714) 350-4701

ER88123037

5/16/89

ER89038034

2/20/90

C.W. Poss Inc.
Robert Woodbury
2508 Woodland Dr.
Anaheim, Ca. 95661
HM (916) 791-2155
WK (714) 995-1133
Msg (714) 521-9220

ER88145079

10/5/89

3 M Corona Plant
Paul Gray
P.O. Box 1328
Corona, Ca. 91718
HM (714) 734-2762
WK (714) 737-3441

ER88132053
ER89041081

5/25/89
2/23/90

Hawley Corp
James Earl Hawley
10700 Jersey Blvd. Suite 450
Rancho Cucamonga, Ca. 91730
HM (818) 335-2607
WK (714) 944-5111

ER88292045

11/3/89

Sukut Construction
Mark Robert Fritzen
P.O Box 8586
Canyon Lake, CA. 92380
HM (714) 244-3212
WK (714) 540-5351

ER89026091

2/8/90

Duane Lee Warnke
5874 Cindy Lane
Riverside, CA. 92505
HM (714) 689-8985

ER89038039

2/20/90

Eugene Arthur Mills
7384 La Habra Ave
Yucca Valley, CA.

ER89094064

4/18/90

Walter Thomas Watson
549 N D Street
Perris, CA.

ER89102064

4/27/90

Kenneth John Joyce
4116 Matthew Dr.
Palm Springs, CA.

ER89075023

3/29/90

EXPLOSIVE PERMITS

DET. TROSTER 1
BANNING

DET LOWE. 5
BLYTHE

DET. ESTEY 5
ELSINORE

DET. CAMPBELL - 29
HEMET

DET. HUMPHERY 0
INDIO

MVID - 1
SGT. M. B. W.

RIVERSIDE COUNTY SHERIFF

EXPLOSIVES APPLICATION AND PERMIT

COIS BYRD, SHERIFF
4050 Main Street
Riverside, California
Phone 787-2444

PERMIT # _____ Station _____
fee ☐ \$5.00 100# or less Application Date _____
☐ \$15.00 more than 100 # Effective Permit Date _____

1. Permittee: (Minimum age 21 years) Phone _____
Name _____ Address _____
DOB _____ Place _____ HT. _____ WT. _____ Color _____ Color _____
Driver's _____ O/ Eyes _____ Hair _____ S _____
License _____ I.D. # _____ Representing _____

2. Vehicle for Transportation Phone _____
Make _____ Mdl. _____ Yr. _____ License # _____ State _____
Travel route and safe stopping places _____

3. Activity: Manufacture ☐ Store ☐ Receive &/or Transport ☐ Use
Sell or otherwise dispose ☐ Operate Terminal* ☐ Park Vehicle ☐

4. Material: Type of explosive _____ Quantity _____ L
How and/or where stored _____

How and/or where used (be specific) _____

- ☐ Must furnish State Forestry approval. Photographed ☐ Initial _____
☐ Must furnish Federal Forest Service approval. Printed ☐ Initial _____
☐ Must furnish CHP permit (over 1000# transp.)

THEFT OR LOSS SHALL BE REPORTED TO THIS AGENCY IMMEDIATELY (12086 H

I, the undersigned, certify that I understand and will abide by all Fed State and local laws, ordinances, rules or orders to perform those acts noted therein. I also understand that all unused inventory covered by permit on or before the expiration date will be disposed of in the following manner:

1. ☐ Returned to source
2. ☐ Totally destroyed in a safe manner

MELBA DUNLAP
2ND DISTRICT
4080 LEMON STREET
COUNTY ADMINISTRATIVE CENTER
RIVERSIDE, CA 92501

RECEIVED
OCT 03 1989
RIVERSIDE COUNTY
PLANNING DEPARTMENT

SUPERVISOR DUNLAP:

WHAT IS HAPPENING IN REGARD TO THE BLASTING ISSUE AT THE HUBBS QUARRY? I HAVE NOT HEARD FROM YOU SINCE THE MEETING AT THE COMMUNITY CENTER ON JUNE 21, 1989 WHEN YOU STATED THAT WE NEED TO FIND A WAY TO STOP THE BLASTING AT HUBBS. I HAVE AN AUDIO TAPE OF THE MEETING IF YOU WOULD LIKE TO REFRESH YOUR MEMORY.

I KNOW YOU ARE AWARE OF RIVERSIDE COUNTY ORDINANCE 555. BECAUSE THE BOARD OF SUPERVISORS CREATED THIS ORDINANCE, IT CAN BE ASSUMED THAT THE ORDINANCE WAS CREATED TO SERVE A PURPOSE. MINING ORDINANCE 555 CLEARLY STATES THAT THERE CAN BE NO INCREASE IN MINING OPERATION FOR THOSE MINES OPERATING UNDER A VESTED RIGHT. THE DATE OF DEMARCATION IS JANUARY 1, 1976.

YOU SAID YOU WERE LOOKING FOR A WAY TO STOP THE BLASTING AT HUBBS QUARRY. MINING ORDINANCE 555 IS THE WAY! THE HUBBS QUARRY DID VERY LITTLE MINING FROM 1976 TO 1988. MANY LOCAL RESIDENTS WILL ATTEST TO THE LACK OF ACTIVITY THERE. THEY ARE NOT EVEN LISTED AS A PRODUCING MINE IN THE 1987 OFFICIAL BUREAU OF MINES DIRECTORY. IN JANUARY OF THIS YEAR, HUBBS BLASTED AT THE QUARRY. ON APRIL 7, OF THIS YEAR, 30,000lbs. OF EXPLOSIVES WERE DETONATED. ACTIVITY AT THE QUARRY HAS INCREASED TO A LEVEL WHERE AS MANY AS 30 TRUCKS ARE LEAVING THE QUARRY LOADED PER DAY. IN THE LAST FIVE WEEKS ACTIVITY HAS INCREASED TO A LEVEL WHERE LOADED TRUCKS ARE LEAVING THE QUARRY EVERY 7 MINUTES. WITHIN THE PAST WEEK, 4 DRILLS HAVE BEEN OBSERVED AT THE QUARRY, INDICATING AN INCREASE IN DRILLING ACTIVITY. THIS IS AN OBVIOUS INCREASE IN PRODUCTION AND IS CLEARLY IN VIOLATION OF ORDINANCE 555.

NOW IS THE TIME TO STOP POLITICAL LIP-SERVICE AND MAKE A STAND. YOU HAVE ENACTED AN ORDINANCE THAT SHOULD BE ENFORCED. HUBBS IS NOT ABOVE THE LAW AND HIS QUARRY OPERATIONS SHOULD BE MONITORED AND KEPT WITHIN THE RESTRICTIONS OF THE ORDINANCE.

THIS SITUATION WILL NOT GO AWAY. I WILL NOT GO AWAY AND NEITHER WILL THE CONCERNED CITIZENS OF THIS AREA. NOW IS THE TIME FOR YOU TO TAKE AN AFFIRMATIVE STAND AND GO ON RECORD IN FAVOR OF HUBBS CONTINUING TO BLAST NEXT TO THE NATIONS LARGEST TOXIC DUMP, OR GO ON RECORD OPPOSING SUCH BLASTING ACTIVITY AND MAKE AN HONEST EFFORT TO GET SUCH ACTIVITY STOPPED. I WILL EXPECT A REPLY WITHIN 10 DAYS. IF I RECEIVE NO REPLY I CAN ONLY ASSUME THAT YOU WILL CONTINUE TO STRADDLE THE POLITICAL FENCE, AND I WILL PURSUE OTHER AVENUES IN AN EFFORT TO STOP A SITUATION THAT IS DANGEROUS TO PUBLIC HEALTH AND SAFETY. THE TIME FOR TALK IS OVER, THE TIME FOR ACTION IS NOW!



JOHN SHELDON
INLAND EMPIRE ALLIANCE FOR SAFE WATER

RECEIVED BY: _____ DATE/TIME _____

INLAND EMPIRE ALLIANCE FOR SAFE WATER
8531 MISSION BLVD.
#13
RIVERSIDE, CA. 92509

TO: JOHN SHATZ, JURUPA COMMUNITY SERVICE DISTRICT

Dear Mr. Shatz,

Thank you for your reply to our concerns. In as much as we appreciate your return interest, we would like to bring our discontent with your solution to light.

In your letter you said that legal action to halt the blasting would be expensive. But at the community meeting you said that an injunction would be inexpensive. In your letter you said legal action would not likely bring success. The phrase "not likely" implies that there is a margin of success to be reckoned with. You say that the blasting must present the likelihood of contaminating the groundwater (as a viable source of supply). Can you substitute the word "possibility" for the word "likelihood"? Please refer to the size of the blast(30,000lbs.). Also realize that all rock is fractured in three directions.

You say that the district has not operated any community supply wells in the area downgradient from Stringfellow for years. The reason those wells have not operated is because they have been polluted by the acid pits. Even if those wells are not being used, we should be aware of the toxic plume flowing down gradient towards the Santa Ana River. Also be aware of the properties of capillary action that liquids possess. This property eludes to a possibility of the lateral migration of the toxins.

You wrote that it is foreseeable that prior to an expert testifying that the blasting was having a deleterious effect on the canyons geologic integrity, considerable testing would have to occur.

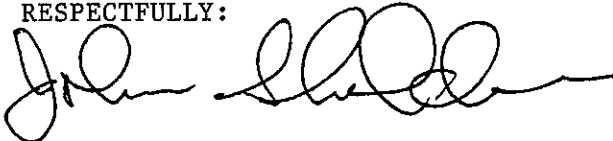
When we read that paragraph we all laughed in amazement. First of all, blasting, by design, always has a deleterious effect. Secondly, we thought it odd that a word such as integrity could ever again be associated with the geology of Pyrite canyon. Thirdly, considerable testing should have occurred long ago. Long before the blasting was allowed. i.e. when they started dumping toxins into the Stringfellow Quarry.

You report that any attempt to immediately halt the blasting would be unsuccessful since the arguments would have to be based on an actual investigation and not speculation. You need to realize that they have not yet begun to drill holes for the next blast. When they start it will take one to two months of drilling. That should give you plenty of time to do a study confirming our case.

Would you want the blasting stopped if a geophysicist said there was a 99% chance of contamination spread? 80%? 50%? How about a 25% or a 10% chance?

We believe that even a 1% chance of toxic pollution spreading as a result of blasting is too great of a risk to allow continued activity in the mining of Pyrite Canyon.

RESPECTFULLY:

A handwritten signature in black ink, appearing to read 'John Sheldon', with a long horizontal flourish extending to the right.

JOHN SHELDON, INLAND EMPIRE ALLIANCE FOR SAFE WATER

Via Central Messenger Stop List RIVERSIDE COUNTY LOCATIONS Central and Eastern Areas

TO:

STOP	DEPARTMENT	STOP	DEPARTMENT
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BANNING

5010 ALL DEPTS. NOT LISTED
 5011 ASSESSOR'S OFFICE
 5012 BUILDING & SAFETY
 5013 DISTRICT ATTORNEY'S OFFICE
 5015 DA FAMILY SUPPORT
 For Banning Departments not listed use
 STOP #5010 and call the person getting
 the mail and ask them to pick it up
 at PROBATION.

BLYTHE

4095 ALL DEPTS. NOT LISTED
 For BLYTHE Departments not listed use
 STOP #4095 and call the person getting
 the mail and ask them to pick it up at the
 CAC RECEPTION DESK.

CORONA

5050 ALL DEPTS. NOT LISTED
 Room 102

COACHELLA

4005 AGRICULTURAL COMM.
 4010 CO-OP EXTENSION

DESERT CENTER

4090 CSA #51

HEMET

5020 ALL DEPTS. NOT LISTED
 5025 BUILDING & SAFETY
 For HEMET Departments not listed use
 STOP #5020 and call the person getting
 the mail and ask them to pick it up at
 the ASSESSOR'S OFFICE.

ATTENTION: _____

DATE: _____

FROM: _____

INDIO

4055 ALL DEPARTMENTS NOT LISTED
 4015 ASSESSOR
 4050 AUTOMOTIVE MAINTENANCE
 4042 BOARD OF SUPERVISORS
 4055 BUILDING SERVICES
 4036 BUILDING & SAFETY
 4030 COMMUNICATIONS
 4040 CORONER
 4034 COUNTY CLERK
 4020 DA FAMILY SUPPORT
 4080 J T P A
 4065 JUVENILE HALL
 4031 LAW LIBRARY
 4075 MARSHAL DESERT
 4070 MUNICIPAL COURT DESERT
 4060 NATIONAL DATE FESTIVAL
 4035 PLANNING
 4037 PROBATION
 4041 PUBLIC DEFENDER
 4032 ROAD DEPARTMENT
 4025 SHERIFF
 4033 SUPERIOR COURT
 4039 VETERANS SERVICES
 For INDIO departments not listed use
 STOP #4055 and call the person getting the mail
 and ask them to pick it up at CAC Room 312.

LAKE ELSINORE

5040 ALL DEPTS. NOT LISTED
 For LAKE ELSINORE Departments not listed
 use STOP #5040 and call the person getting
 the mail and ask them to pick it up at
 the SHERIFF'S DEPT.

PALM SPRINGS

4000 ALL DEPTS. NOT LISTED
 4001 MUNI. COURT DESERT, ADMIN.
 For PALM SPRINGS Departments not listed
 use STOP #4000 and call the person getting
 the mail and ask them to pick it up at the
 ASSESSOR'S OFFICE.

PERRIS

5030 ALL DEPTS. NOT LISTED
 5035 BUILDING & SAFETY
 5036 FIRE PROTECTION, ADMIN.
 For PERRIS Departments not listed use
 STOP #5030 and call the person getting the
 mail and ask them to pick it up at MUNI COURT.

**PLEASE highlight mail stop number and
 department name. Use attention line(s)
 to assist intramail stop routing.**

Via Central Mailer Stop List RIVERSIDE

TO:

STOP	DEPARTMENT	STOP	DEPARTMENT	STOP	DEPARTMENT
1020	ADMINISTRATIVE OFFICE	3890	GENERAL HOSPITAL	2360	MUNICIPAL COURT RIVERS
1250	AGRICULTURAL COMM	3890	MIA TRAILER R-1	2580	OFFICE ON AGING
1100	ASSESSOR	2630	GRAND JURY	3970	PARKS
1050	AUDITOR	2320	HEALTH SERVICES	1150	PERSONNEL
1160	AUDITOR PAYROLL	3760	HOUSING AUTHORITY	1190	PERSONNEL EMPL BENEF
2540	AUTOMOTIVE MAINTENANCE	2570	J T P A	3709	PERSONNEL CAREER OP D
2560	AVIATION	2300	JURY COMM	1070	PLANNING
1001	BOARD OF SUPERVISORS	3940	JUVENILE COURT	3702	PRINTING SERVICES
2600	BUILDING SERVICES	3900	JUVENILE HALL	2470	PROBATION
1130	BUILDING & SAFETY DISTRICT	3860	JUVENILE TRAFFIC	3910	PROBATION JUVENILE DIV.
3715	BUILDING SAFETY ADMIN.	1030	LAFCO	3700	PUBLIC ADMINISTRATOR
1090	CAFETERIA	2340	LAW LIBRARY	2520	PUBLIC DEFENDER
1230	CENTRAL MAIL	2530	MARSHAL RIVERSIDE	3850	PUBLIC DEFENDER JUVEN
1010	CLERK OF THE BOARD	3800	MN HLTH ACCTNG SERV	3701	PURCHASING
3740	COMMUNICATIONS	3790	MN HLTH ADMINISTRATION	1220	QUICK PRINT
1055	COM CAC 11TH FLOOR	3810	MN HLTH ADULT SERVICES	1040	REDEVELOPMENT
2590	COMMUNITY ACTION	2610	MN HLTH ALCOHOL CONTROL	2510	REGISTRAR OF VOTERS
2480	CORONER	3730	MN HLTH ALCOHOL DETOX CTR	1080	ROAD DEPARTMENT
2420	COUNTY CLERK	3920	MN HLTH CHILDREN RES	1260	ROAD D.P. BASEMENT, RM.
2640	CNTY CLERK APPEALS SECT	3710	MN HLTH CHILDRENS TREAT	1170	SAFETY
1140	COUNTY CLERK RECORDER	2400	MN HLTH CONSERVATORSHIP	3980	SHERIFF ACADEMY OF JUS
2620	CNTY CLERK CRIMINAL FILE	2390	MN HLTH CONT COMM CARE	2450	SHERIFF ADMIN. 4050 Mai
2350	COUNTY COUNSEL	3750	MN HLTH CONT COMM CARE	2500	SHERIFF ACCT. & FINANCE
5001	CO-OP EXTENSION	3811	MN HLTH CRISIS/OUTPATIENT	2490	SHERIFF CAL ID
3720	DPSS	3820	MN HLTH DATA PROCESSING	2504	SHERIFF CIVIL BUREAU
2370	DA FAMILY SUPPORT	2380	MN HLTH DRUG ABUSE	3745	SHERIFF DISPATCH
2560	DATA PROCESSING, BROCKTON	3931	MN HLTH FORENSICS	2505	SHERIFF JAIL PLANNING
1060	DATA PROCESSING 10th FLOOR	3870	MN HLTH GENERAL HOSPITAL	3747	SHERIFF PATROL & INVEST
3895	DATA PROCESSING RGH	3770	MN HLTH JEFFERSON HOUSE	2410	SUPER. COURT CRIMINAL
1115	DEFERRED COMP.	3780	MN HLTH MATL MNGMT	2430	SUPER. COURT FAMILY LAV
1120	DISTRICT ATTORNEY	3930	MN HLTH OLDER ADULT	3703	SUPPLY SERVICES
2330	ECONOMIC COMMUNITY DEV	3830	MN HLTH PATIENT RIGHTS	1110	TAX COLLECTOR/TREASUF
1210	EMERGENCY SERVICES (FIRE)	3831	MN HLTH PERSONNEL	3871	VAN HORN YOUTH CENTE
2440	EXEC OFF/JURY COMM	1200	MN HLTH PUBLIC GUARDIAN	2310	VETERANS SERVICES
2550	FAMILY LAW	3840	MN HLTH VOLUNTEER SERV	3950	WASTE DISPOSAL
1240	FIRE PLANNING & ENG	3960	MUNICIPAL COURT JURUPA	3705	WEIGHTS & MEASURES
3990	FLOOD CONTROL			1180	WORKER'S COMPENSATIO

ATTENTION:

Steve Kufperman

DATE:

8/8/89

FROM:

Joe Konk

Co. Counsel

**PLEASE highlight mail st
number and department nam
Use attention line(s) to ass
intramail atop routing.**

General Form 33 (12-88) Reorder #
02-0033

RECEIVED
COUNSEL
GERALD J. GEERINGS
AUG 09 1989



Memorandum

RIVERSIDE COUNTY
PLANNING DEPARTMENT

August 8, 1989

TO: Melba Dunlap, Supervisor, District II
Tom Ingram, Director, Building & Safety
Glen Newman, County Fire Warden
Mark Balys, Deputy Director, Planning
~~Steve Kupferman~~ Engineering Geologist, Planning
JSC

FROM: Joe S. Rank, Deputy County Counsel

RE: Regulation of "Blasting" Connected with Surface Mining
Operations

Pursuant to the meeting of July 21, 1989, we have roughed out the proposed amendments to Riverside County Ordinance No. 555.

As far as time of blasting and other related conditions are concerned, it would seem appropriate to have those stated on the permit. We have attached the forms currently used by the Sheriff's Department. Included is a copy of the procedures followed, the current list of permittees in the Riverside City area and the number of permittees in the areas of the County.

In our discussion with individuals in the Sheriff's Department, it was their opinion that land use would be the appropriate issuing authority for permits.

After reviewing the attached information, it may be appropriate to meet once again and establish ongoing policies and procedures for blasting, as well as review other possible controls.

JSR:bln
251LIT

Encl

DRAFT

ORDINANCE NO. 555.

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
IMPLEMENTING THE SURFACE MINING
AND RECLAMATION ACT OF 1975

The Board of Supervisors of the County of Riverside
Ordains as Follows:

Section 1. Section 6 is amended to include subsection
h., which reads as follows:

h. If any explosives, as defined in Health & Safety
Code §12000, are to be used in conjunction with a surface mining
operation, it shall be the permittee's (as defined in Health &
Safety Code §12101) responsibility to comply with the following
provisions:

(1) Application for a permit shall be on such form
as prescribed by the issuing authority which includes
any amendments that may from time to time be adopted by
such issuing authority.

(2) At least three (3) days prior to any blasting,
all individuals residing or having a business within
1,000 feet of the proposed blasting location, the
issuing authority, and the County Department of Building
& Safety, shall be notified, by means reasonably
calculated to allow for actual notice, of the proposed
date and time of the scheduled blasting.

(3) A record of each blast, including
seismographic data, shall be retained for at least two
(2) years and shall be available for inspection by the

DRAFT

County of Riverside. Such record shall contain the following data:

- (a) Location, date and time of blast.
- (b) Name, signature and license number of blaster-in-charge.
- (c) Direction and distance, in feet, to the nearest improvement and residence.
- (d) Weather conditions, including temperature, wind direction and approximate velocity.
- (e) Number of holes, burden and spacing.
- (f) Diameter and depth of holes.
- (g) Types of explosives used.
- (h) Total weight of explosives used.
- (i) Maximum weight of explosives detonated within any 8-milliseconds period.
- (j) Maximum number of holes detonated within any 8-milliseconds period.
- (k) Type of initiation system.
- (l) Type and length of stemming.
- (m) Type of delay detonator and delay periods used.
- (n) Sketch of the delay pattern.
- (o) Seismogram including the calibration signal of the gain setting and:
 - [1] Seismographic reading, including location of seismographic and its distance from the blast;

DRAFT

[2] Name of the person taking the
seismographic reading; and

[3] Name of the person and firm
analyzing the seismographic record.

Section 2. This ordinance shall become effective thirty
days after adoption.

JSR:bln
4206LIT
8/2/89

EXPLOSIVE APPLICATION/PERMIT PROCESS

1. Applicant desires permit.
 - a. Must be person(s) conducting the blasting
 - b. Must have valid State of California Blasting License or documentation certifying the applicant has successfully completed the state examination for blasters license.
2. Applicant to contact Sheriff accounting and finance department.
 - a. \$15.00 for permit.
 - b. \$23.50 for photo, fingerprinting and processing
 - c. Applicant pays a total of \$38.50, payable to "Riverside County Sheriff". Payment must be cash or a money order, no personal checks allowed.
 - d. Applicant receives a receipt for the amount of payment which is presented the blasting investigator for verification.
3. Applicant to contact Sheriff station of jurisdiction where blasting is to occur.
 - a. Completes "Explosive Application and Permit" and the "Fingerprint Information Sheet". (This is accomplished by the investigator assigned to the blasting permit function).
 - b. Application is fingerprinted, two copies, and photographed at the sheriff station of jurisdiction (In Riverside this will be accomplished at Sheriff Information Service Bureau).
 - c. Fingerprints, and photos are forwarded to California "Department of Justice" for processing. The fingerprint information sheet is forwarded to the Information Service Bureau in Riverside.
 - d. Applicant is advised the permit will be valid in 15 days contingent on the results from the D.O.J. check.
4. Applicant will be directed to contact Riverside County Fire Department.
 - a. Must take with him/her a map of the location where the blasting will occur.
 - b. Must notify the Fire station in the initial response area of the date and time of the blasting.

5. Hazardous Device Team

- a. H.D.T. to conduct an inspection of the site bunkers. Inspection will be arranged by the investigator handling the blasting permit.
- b. H.D.T. to notify the investigator of the results of their inspection.

6. Other Agencies to be Notified by explosive investigator.

- a. California Department of Forestry
- b. California Highway Patrol (if they are to be affected)
- c. Riverside County Sheriff (affected station, if that station is not issuing the permit).

7. Miscellaneous information

- a. Permit will be issued to applicant in 15 days.
- b. Permit to be valid for one year from date of issuance.
- c. Renewal for permit will be the same process, and cost, as the initial permit.
- d. If any additional people are to be listed on the permit, each person will have to be processed and pay the \$23.50 processing fee. Their names will be added to the permit.
- e. The permit will be valid for the County of Riverside only. Cities contracted to Riverside Sheriff do not fall under these guidelines. Persons applying for blasting permits in contract cities are to be referred to the individual city for permits.
- f. The permit holder must notify the sheriff station of jurisdiction prior to every blast.
- g. Information contained on the permit application to remain confidential.
- h. A copy of the permit must be on-site when blasting occurs.

EXPLOSIVE PERMITS

<u>NAME</u>	<u>FILE NUMBER</u>	<u>EXPIRED</u>
Alderhorst Dog Training David John Reaver 3951 Veron Riverside, Ca. 92509 HM- (714) 685-1997 WK- (714) 685-2430	ER89038050	2/20/90
A & W Contractors Arthur Allen Wallace 334 Tamarak Ave. Escondido, Ca. 92506 (619) 734-6075	ER88257056	9/26/89
Marvin Lane Beamon 1015 West 5th Street San Bernardino, Ca. 92411 HM (714) 874-0957 WK (714) 884-8388 Msg (714) 888-7006	ER89060032	3/14/90
Tom C. Dyke John Elias Rios P.O. Box 352 Alpine, Ca. 92001 HM (619) 443-5908 WK (619) 445-2270	ER88147075 ER89067037	6/9/89 3/21/90
EMC Systems Gregory Marr P.O. Box 1386 Victorville, Ca. 92392 WK (619) 245-2052	ER89023051	2/5/90

Tommy Edward Fairfax 26382 Ives Way El Toro, Ca. 92630 HM (714) 458-7612 WK (714) 770-2635	ER88263044	10/3/89
Goffman & McCormick John James McCormick 22822 Granite Way Laguna Hills, Ca. 92653 HM (714) 552-3224 WK (714) 951-1808	ER88245030	9/14/89
Emmett Carl Harder 18201 Muriel Ave San Bernardino, Ca. 92407 HM (714) 887-3436	ER89059035	3/13/90
James Marvin Hurst 12171 Telephone #2 Chino, Ca, 91710 HM (714) 591-9685	ER88209079	7/10/89
M.J. Baxter Drilling Terrence George Barrett 12485 Hwy 67 Lakeside, Ca. 92040 HM (619) 562-0786 WK (619) 443-7800	ER88231053	8/31/89
Woodward Clyde Consultant Ronald Loves Mees 203 N. Golden Circle Santa Ana, Ca. 92705 HM (714) 628-7676 WK (714) 835-6886	ER89045039	2/27/90
Merlin Johnson Construction Merlin Kenneth Johnson P.O. BOX 777 Mentone, CA, 92359 HM (714) 794-1390 WK (714) 794-4772 Msg (714) 794-7702	ER88029067	11/13/89

Everett Carl Love 11247 Royal Palm Riverside, Ca. HM (714) 687-3169	ER88168031 ER89038038	6/30/89 2/20/90
Romo Loui Cortez Romo 773 South 7th Colton, Ca. 92324 HM (714) 825-8162	ER89059044	3/13/90
Nicholas Rose 4150 Chicago Riverside, Ca. 92506 HM (714) 783-0143 WK (714) 351-6684	ER88236080	9/6/89
Rock Tech Jonathan Carl Byrd 989 W 7th Street San Jacinto, CA. 92383 HM (714) 654-8626 WK Same As Home	ER89003041	2/10/90
Edwin Eugene Santee 21212 Regal Vista Ct. Lake Mathews, Ca. 92370 HM (714) 780-7287 WK (818) 331-3371	ER88242080	9/12/89
Spirit Drilling & Blasting David Scott Lucas 11169 Caribou Ave Apple Valley, Ca. 92307 HM (619) 240-4478 WK (619) 240-4099	ER89017026	1/30/90
Brain David Verona 1339 Elderberry Ave. Ontario CA, 91762 HM (714) 981-8729	ER88124058 ER89041082	5/17/89 2/23/90

Donald Darwin Watts 2750 W. Acacia Sp. H17 Hemet, Ca. 92343 HM (714) 925-5052 WK (714) 737-3575	ER88096037	4/19/89
E L Yeager Construction Daniel Boone Hunter 1995 Agua Mansa Riverside, Ca. 92501 HM (714) 797-0446 WK (714) 684-5360	ER89089056	4/12/90
California Drilling & Blasting Billy Ray Adair 4144 N. Arden Elmonte, Ca. 91731 HM (619) 253-3675 WK (619) 443-0310 Msg (213) 283-6770	ER88319047	11/28/89
Robbin Christianson 10660 Lind Ave Loma Linda, Ca. 92354 HM (714) 796-2867	ER88343047	12/22/89
Eject Blasting Service Paul Frances Goethals 7431 Magnolia Ave #108 Riverside, Ca. 92504 HM (714) 359-7789 Msg (714) 359-7782	ER88202043	8/4/89
Inland Valley Construction Kenneth Ralph Carvso 8969 Veron Ave Montclair, Ca. 91763 HM (714) 946-5310 WK (714) 985-9821	ER88166089	6/27/89
Raymond Leon McCully 18482 San Bernardino Ave Boomingtown, Ca. HM (714) 829-2819 Car Phone (714) 321-5114	ER88328037	12/7/89

Corona Rock Company
Santiago Rodriguez Jr.
P.O Box 2229
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WK (714) 736-7600

ER88246047

9/15/89

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ER88271059

10/11/89

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ER88313050

11/22/89

Donald Alvin Capps
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ER88305074

11/13/89

Broco Inc.
Douglass Smith
2824 N. Locust Ave.
Rialto, Ca. 92376
WK (714) 350-4701

ER88123037

5/16/89

ER89038034

2/20/90

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WK (714) 995-1133
Msg (714) 521-9220

ER88145079

10/5/89

3 M Corona Plant Paul Gray P.O. Box 1328 Corona, Ca. 91718 HM (714) 734-2762 WK (714) 737-3441	ER88132053 ER89041081	5/25/89 2/23/90
Hawley Corp James Earl Hawley 10700 Jersey Blvd. Suite 450 Rancho Cucamonga, Ca. 91730 HM (818) 335-2607 WK (714) 944-5111	ER88292045	11/3/89
Sukut Construction Mark Robert Fritzen P.O Box 8586 Canyon Lake, CA. 92380 HM (714) 244-3212 WK (714) 540-5351	ER89026091	2/8/90
Duane Lee Warnke 5874 Cindy Lane Riverside, CA. 92505 HM (714) 689-8985	ER89038039	2/20/90
Eugene Arthur Mills 7384 La Habra Ave Yucca Valley, CA.	ER89094064	4/18/90
Walter Thomas Watson 549 N D Street Perris, CA.	ER89102064	4/27/90

Kenneth John Joyce
4116 Matthew Dr.
Palm Springs, CA.

ER89075023

3/29/90

EXPLOSIVE PERMITS

DET. TROSTER 1
BANNING

DET LOWE. 5
BLYTHE

DET. ESTEY 5
ELSINORE

DET. CAMPBELL - 29
HEMET


DET. HUMPHREY 0
INDIO

MVPD - 1
SGT. J. J. DEN

WHILE YOU WERE AWAY

FOR Stenge Kupferman DATE 8/23 TIME 9:25 A.M.
 VI Area.

OF Paul Dub. Const ☒ TELEPHONED
 PHONE 877-27210 ☐ RETURNED YOUR CALL
AREA CODE NUMBER EXTENSION

MESSAGE Exclamation point ☒ PLEASE CALL
He just got off the phone ☐ WILL CALL AGAIN
with the State he has ☐ CAME TO SEE YOU
some information for you. ☐ WANTS TO SEE YOU
 SIGNED _____ TOPS  FORM 4001



RIVERSIDE COUNTY
SURFACE MINING AND RECLAMATION ACT OF 1975

(As amended by Senate Bill 1300, Nejedly - 1980 Statutes,
Assembly Bill 1110, Areias - 1984 Statutes,
Senate Bill 593, Royce - 1985 Statutes,
Senate Bill 1261, Seymour - 1986 Statutes
and Assembly Bill 747 - 1987 Statute)

Article 1. General Provisions

§2710. This chapter shall be known and may be cited as the Surface Mining and Reclamation Act of 1975.

§2711. (a) The Legislature hereby finds and declares that the extraction of minerals is essential to the continued economic well-being of the state and to the needs of the society, and that the reclamation of mined lands is necessary to prevent or minimize adverse effects on the environment and to protect the public health and safety.

(b) The Legislature further finds that the reclamation of mined lands as provided in this chapter will permit the continued mining of minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land.

(c) The legislature further finds that surface mining takes place in diverse areas where the geologic, topographic, climatic, biological, and social conditions are significantly different and that reclamation operations and the specifications therefore may vary accordingly.

§2712. It is the intent of the legislature to create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that:

(a) Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.

(b) The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.

(c) Residual hazards to the public health and safety are eliminated.

§2713. It is not the intent of the Legislature by the enactment of this chapter to take private property for public use without payment of just compensation in violation of the California and United States Constitutions.

§2714. The provisions of this chapter shall not apply to any of the following activities:

(a) Excavations or grading conducted for farming or onsite construction or for the purpose of restoring land following a flood or natural disaster.

(b) Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location of one acre or less.

(c) Surface mining operations that are required by federal law in order to protect a mining claim, if such operations are conducted solely for that purpose.

(d) Such other surface mining operations which the board determines to be of an infrequent nature and which involve only minor surface disturbances.

§2715. No provision of this chapter or any ruling, requirement, or policy of the board is a limitation on any of the following:

(a) On the police power of any city or county or on the power of any city or county to declare, prohibit, and abate nuisances.

(b) On the power of the Attorney General, at the request of the board, or upon his own motion, to bring an action in the name of the people of the State of California to enjoin any pollution or nuisance.

(c) On the power of any state agency in the enforcement or administration of any provision of law which it is specifically authorized or required to enforce or administer.

(d) On the right of any person to maintain at any time any appropriate action for relief against any private nuisance as defined in Part 3 (commencing with Section 3479) of Division 4 of the Civil Code or for any other private relief.

(e) On the power of any lead agency to adopt policies, standards, or regulations imposing additional requirements on any person if the requirements do not prevent the person from complying with the provisions of this chapter.

(f) On the power of any city or county to regulate the use of buildings, structures, and land as between industry, business, residents, open space (including agriculture, recreation, the enjoyment of scenic beauty, and the use of natural resources), and other purposes.

§2716. Any person may commence an action on his own behalf against the board or the State Geologist for a writ of mandate pursuant to Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure to compel the board or the State Geologist to carry out any duty imposed upon them pursuant to the provisions of this chapter.

§2717. The board shall submit to the Legislature on December 1st of each year a report on the actions taken pursuant to this chapter during the preceding fiscal year. Such report shall include a statement of the actions, including legislative recommendations, which are necessary to carry out more completely the purposes and requirements of this chapter.

§2718. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

Article 2. Definitions

§2725. Unless the context otherwise requires, the definitions set forth in this article shall govern the construction of this chapter.

§2726. "Area of regional significance" means an area designated by the board pursuant to Section 2790 which is known to

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GORDON K. VAN VLECK
Secretary

STATE OF CALIFORNIA
GEORGE DEUKMEJIAN
Governor

DEPARTMENT OF CONSERVATION
RANDALL M. WARD
Director

contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in a particular region of the state within which the minerals are located and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local significance.

§2727. "Area of statewide significance" means an area designated by the board pursuant to Section 2790 which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in the state and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local or regional significance.

§2728. "Lead agency" means the city, county, San Francisco Bay Conservation and Development Commission, or the board which has the principal responsibility for approving a surface mining operation or reclamation plan pursuant to this chapter.

§2729. "Mined lands" includes the surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

§2730. "Mining waste" includes the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.

§2731. "Operator" means any person who is engaged in surface mining operations, himself, or who contracts with others to conduct operations on his behalf, except a person who is engaged in surface mining operations as an employee with wages as his sole compensation.

§2732. "Overburden" means soil, rock, or other materials that lie above a natural mineral deposit or in between mineral deposits, before or after their removal by surface mining operations.

§2732.5. "Permit" means any authorization from, or approval by, a lead agency, the absence of which would preclude surface mining operations.

§2733. "Reclamation" means the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

§2734. "State policy" means the regulations adopted by the board pursuant to Section 2755.

§2735. "Surface mining operations" means all, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incidental to an underground mine. Surface mining operations shall include, but are not limited to:

- (a) Inplace distillation or restoring or leaching.
- (b) The production and disposal of mining waste.
- (c) Prospecting and exploratory activities.

Article 3. District Committees

§2740. In carrying out the provisions of this chapter, the board may establish districts and appoint one or more district technical

advisory committees to advise the board. In establishing districts for these committees, the board shall take into account physical characteristics, including, but not limited to, climate, topography, geology, type of overburden, and principal mineral commodities. Members of the committees shall be selected and appointed on the basis of their professional qualifications and training in mineral resource conservation, development and utilization, land use planning, mineral economics, or the reclamation of mined lands.

§2741. The members of the committee shall receive no compensation for their services, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

Article 4. State Policy for the Reclamation of Mined Lands

§2755. The board shall adopt regulations which establish state policy for the reclamation of mined lands in accordance with the general provisions set forth in Article 1 (commencing with Section 2710) of this chapter and pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1 of Division 3 of Title 2 of the Government Code.

§2756. State policy shall apply to the conduct of surface mining operations and shall include, but shall not be limited to, measures to be employed by lead agencies in specifying grading, backfilling, resoiling, revegetation, soil compaction, and other reclamation requirements, and for soil erosion control, water quality and watershed control, waste disposal, and flood control.

§2757. The state policy adopted by the board shall be based upon a study of the factors that significantly affect the present and future condition of mined lands, and shall be used as standards by lead agencies in preparing specific and general plans, including the conservation and land use elements of the general plan, and zoning ordinances. The state policy shall not include aspects of regulating surface mining operations which are solely of local concern, and not of statewide or regional concern, as determined by the board, such as, but not limited to, hours of operation, noise, dust, fencing, and purely aesthetic considerations.

§2758. Such policy shall include objectives and criteria for all of the following:

- (a) Determining the lead agency pursuant to the provisions of Section 2771.
- (b) The orderly evaluation of reclamation plans.
- (c) Determining the circumstances, if any, under which the approval of a proposed surface mining operation by a lead agency need not be conditioned on a guarantee assuring reclamation of the mined lands.

§2759. The state policy shall be continuously reviewed and may be revised. During the formulation or revision of such policy, the board shall consult with, and carefully evaluate the recommendations of, the State Geologist, any district technical advisory committees, concerned federal, state, and local agencies, educational institutions, civic and public interest organizations, and private organizations and individuals.

§2760. The board shall not adopt or revise the state policy unless a public hearing is first held respecting their adoption or revision. At least 30 days prior to such hearing, the board shall give notice of the hearing by publication pursuant to Section 6061 of the Government Code.

§2761. (a) On or before January 1, 1977, and, as a minimum, after the completion of each decennial census, the Office of Planning and Research shall identify portions of the following areas within the state which are urbanized or are subject to urban expansion or other irreversible land uses which would preclude mineral extraction.

- (1) Standard metropolitan statistical areas and such other areas for which information is readily available.

(2) Other areas as may be requested by the board.

(b) In accordance with a time schedule, and based upon guidelines adopted by the board, the State Geologist shall classify, on the basis solely of geologic factors, and without regard to existing land use and land ownership, the areas identified by the Office of Planning and Research, any area for which classification has been requested by a petition which has been accepted by the board, or any other areas as may be specified by the board, as one of the following:

- (1) Areas containing little or no mineral deposits.
- (2) Areas containing significant mineral deposits.
- (3) Areas containing mineral deposits, the significance of which requires further evaluation.

(c) As it is completed by county, the State Geologist shall transmit such information to the board for incorporation into the state policy and for transmittal to lead agencies.

§2762. (a) Within 12 months of receiving the mineral information described in Section 2761, and also within 12 months of the designation of an area of statewide or regional significance within its jurisdiction, every lead agency shall, in accordance with state policy, establish mineral resource management policies to be incorporated in its general plan which will:

- (1) Recognize mineral information classified by the State Geologist and transmitted by the board.
- (2) Assist in the management of land use which affect areas of statewide and regional significance.
- (3) Emphasize the conservation and development of identified mineral deposits.

(b) Every lead agency shall submit proposed mineral resource management policies to the board for review and comment prior to adoption.

(c) Any subsequent amendment of the mineral resource management policy previously reviewed by the board shall also require review and comment by the board.

(d) Prior to permitting a use which would threaten the potential to extract minerals in an area classified by the State Geologist as an area described in paragraph (3) of subdivision (b) of Section 2761, the lead agency may cause to be prepared an evaluation of the area in order to ascertain the significance of the mineral deposit located therein. The results of such evaluation shall be transmitted to the State Geologist and the board.

§2763. (a) Lead agency land use decisions involving areas designated as being of regional significance shall be in accordance with the lead agency's mineral resource management policies and shall also, in balancing mineral values against alternative land uses, consider the importance of these minerals to their market region as a whole and not just their importance to the lead agency's area of jurisdiction.

(b) Lead agency land use decisions involving areas designated as being of statewide significance shall be in accordance with the lead agency's mineral resource management policies and shall also, in balancing mineral values against alternative land uses, consider the importance of the mineral resources to the state and nation as a whole.

§2764. (a) Upon the request of an operator or other interested person and payment by the requesting person of the estimated cost of processing the request, the lead agency having jurisdiction shall amend its general plan, or prepare a new specific plan or amend any applicable specific plan, that shall, with respect to the continuation of the existing surface mining operation for which the request is made, plan for future land uses in the vicinity of, and access routes serving, the surface mining operation in light of the importance of the minerals to their market region as a whole, and not just their importance to the lead agency's area of jurisdiction.

(b) In adopting amendments to the general plan, or adopting or amending a specific plan, the lead agency shall make written legislative findings as to whether the future land uses and particular access routes will be compatible or incompatible with the continuation of the surface mining operation, and if they are found to be incompatible, the findings shall include a statement of the reasons why they are to be provided for, notwithstanding the importance of the minerals to their market region as a whole or their previous designation by the board, as the case may be.

(c) Any evaluation of a mineral deposit prepared by a lead agency for the purpose of carrying out this section shall be transmitted to the State Geologist and the board.

(d) The procedure provided for in this section shall not be undertaken in any area that has been designated pursuant to Article 6 (commencing with Section 2790) if mineral resource management policies have been established and incorporated in the lead agency's general plan in conformance with Article 4 (commencing with Section 2755).

Article 5. Reclamation Plans and the Conduct of Surface Mining Operations

§2770. (a) Except as provided in subdivision (b), no person shall conduct surface mining operations unless a permit is obtained from, and a reclamation plan has been submitted to, and approved by, the lead agency for the operation pursuant to this article.

(b) Any person with an existing surface mining operation who has vested rights pursuant to Section 2776 and who does not have an approved reclamation plan shall submit a reclamation plan to the lead agency not later than March 31, 1988. If a reclamation plan application is not on file by March 31, 1988, the continuation of the surface mining operation is prohibited until a reclamation plan is submitted to the lead agency. For purposes of this subdivision, reclamation plans may consist of all or the appropriate sections of any plans or written agreements previously approved by the lead agency or another agency, together with any additional documents needed to substantially meet the requirements of Sections 2772 and 2773 and the lead agency surface mining ordinance adopted pursuant to subdivision (a) of Section 2774, provided that all documents which together are proposed to serve as the reclamation plan are submitted for approval to the lead agency in accordance with this chapter. The lead agency's review of these plans is limited to whether the plan substantially meets the requirements of Sections 2772 and 2773 and the lead agency surface mining ordinance adopted pursuant to subdivision (a) of Section 2774. Plans that are judged to meet the intent of this chapter shall be approved for the purposes of this chapter. Plans that are judged as not substantially meeting the requirements of Sections 2772 and 2773 and the lead agency surface mining ordinance adopted pursuant to subdivision (a) of Section 2774 shall be returned to the operator within 60 days. The operator has 60 days to revise the plan to address identified deficiencies, at which time the revised plan shall be returned to the lead agency for review and approval. Except as specified by subdivision (c), (d), or (f), if plans remain unapproved by July 1, 1990, the continuation of the surface mining operation is prohibited until a reclamation plan is approved by the lead agency.

(c) Any person who, based on the evidence of the record, can substantiate that a lead agency has failed to act according to due process, or has relied on considerations not related to the specific requirements of Sections 2772 and 2773 and the lead agency surface mining ordinance adopted pursuant to subdivision (a) of Section 2774 in reaching a decision to deny approval of a reclamation plan, or has failed to act within a reasonable time of receipt of a completed application, may appeal that action or inaction to the board.

(d) The board may decline to hear an appeal if it determines that the appeal raises no substantial issues related to the lead agency's review pursuant to this section.

(e) Appeals that the board does not decline to hear shall be scheduled and heard at a public hearing within 45 days of the filing of the appeal, or any longer period as may be mutually agreed upon by the board and the person filing the appeal. In hearing an appeal, the board shall only determine whether the plan substantially meets the requirements of Sections 2772 and 2773 and the lead agency surface mining ordinance adopted pursuant to subdivision (a) of Section 2774. A plan judged to meet these requirements shall be approved. A plan judged not to meet these requirements shall be returned to the person filing the appeal with a notice of deficiencies, who shall be granted, once only, a period of 30 days to correct the noted deficiencies and submit the revised plan to the lead agency for review and approval.

(f) Any enforcement action which may be brought against an operator with vested rights pursuant to Section 2776 shall be held in abeyance pending action on an application pursuant to subdivision (b) or the resolution of an appeal filed with the board pursuant to subdivision (c).

§2770.5. Whenever surface mining operations are proposed in the 100-year flood plain for any stream, as shown in Zone A of Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and within one mile, upstream or downstream, of any state highway bridge, the lead agency receiving the application for the issuance or renewal of a permit to conduct the surface mining operations shall notify the Department of Transportation that the application has been received. The Department of Transportation shall have a period of not more than 45 days to review and comment on the proposed surface mining operations with respect to any potential damage to the state highway bridge from the proposed surface mining operations. The lead agency shall not issue or renew the permit until the Department of Transportation has submitted its comments or until 45 days from the date the application for the permit was submitted, whichever ever occurs first.

§2771. Whenever a proposed surface mining operation is within the jurisdiction of two or more public agencies, is a permitted use within the agencies, and is not separated by a natural or manmade barrier coinciding with the boundary of the agencies, the evaluation of the proposed operation shall be made by the lead agency in accordance with the procedures adopted by the lead agency pursuant to Section 2774. In the event that a dispute arises as to which public agency is the lead agency, any public agency which is a party to the dispute may submit the matter to the board; and the board shall designate the public agency which shall serve as the lead agency, giving due consideration to the capability of such agency to fulfill adequately the requirements of this chapter and to an examination of which of the public agencies has principal permit responsibility.

§2772. The reclamation plan shall be filed with the lead agency on a form provided by the lead agency, by any person who owns, leases, or otherwise controls or operates on all, or any portion of any, mined lands, and who plans to conduct surface mining operations thereon.

The reclamation plan shall include the following information and documents:

(a) The name and address of the operator and the names and addresses of any persons designated by him as his agents for the service of process.

(b) The anticipated quantity and type of minerals for which the surface mining operation is to be conducted.

(c) The proposed dates for the initiation and termination of such operation.

(d) The maximum anticipated depth of the surface mining operation.

(e) The size and legal description of the lands that will be affected by such operation, a map that includes the boundaries and topographic details of such lands, a description of the general geology of the area, a detailed description of the geology of the area in which surface mining is to be conducted, the location of all streams, roads, railroads, and utility facilities within, or adjacent to, such lands, the location of all proposed access roads to be constructed in conducting such operation, and the names and addresses of the owners of all surface and mineral interests of such lands.

(f) A description of and plan for the type of surface mining to be employed and a time schedule that will provide for the completion of surface mining on each segment of the mined lands so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation.

(g) A description of the proposed use or potential uses of the land after reclamation and evidence that all owners of a possessory interest in the land have been notified of the proposed use or potential uses.

(h) A description of the manner in which reclamation, adequate for the proposed use or potential uses will be accomplished, including:

- (1) a description of the manner in which contaminants will be controlled, and mining waste will be disposed; and
- (2) a description of the manner in which rehabilitation of affected streambed channels and streambanks to a condition minimizing erosion and sedimentation will occur.

(i) An assessment of the effect of implementation of the reclamation plan on future mining in the area.

(j) A statement that the person submitting the plan accepts responsibility for reclaiming the mined lands in accordance with the reclamation plan.

(k) Any other information which the lead agency may require by ordinance.

§2773. The reclamation plan shall be applicable to a specific piece of property or properties, and shall be based upon the character of the surrounding area and such characteristics of the property as type of overburden, soil stability, topography, geology, climate, stream characteristics, and principal mineral commodities.

§2774. (a) Every lead agency shall adopt ordinances in accordance with state policy which establish procedures for the review and approval of reclamation plans and the issuance of a permit to conduct surface mining operations, except that any lead agency without an active surface mining operation in its jurisdiction may defer adopting an implementing ordinance until the filing of a permit application. Such reclamation and permit ordinances shall establish procedures requiring at least one public hearing and periodic inspections of surface mining operations, and may include provisions for liens, surety bonds, or other security to guarantee reclamation in accordance with the reclamation plan. Such ordinances shall be periodically reviewed by the lead agency and revised, as necessary, in order to ensure that the ordinances continue to be in accordance with state policy.

(b) Lead agencies shall notify the State Geologist of the filing of an application for a permit to conduct surface mining operations.

(c) On request of a lead agency, the State Geologist shall furnish technical assistance to assist in the review of reclamation plans.

§2774.3. The board shall review lead agency ordinances which establish permit and reclamation procedures to determine whether each ordinance is in accordance with state policy, and shall certify the ordinance as being in accordance with state policy if it adequately meets, or imposes requirements more stringent than, the California surface mining and reclamation policies and procedures established by the board pursuant to this chapter.

§2774.5. (a) If, upon review of an ordinance, the board finds that it is not in accordance with state policy, the board shall communicate the ordinance's deficiencies in writing to the lead agency. Upon receipt of the written communication, the lead agency shall have 90 days to submit a revised ordinance to the board for certification as being in accordance with state policy. The board shall review the lead agency's revised ordinance for certification within 60 days of its receipt. If the lead agency does not submit a revised ordinance within 90 days, the board shall assume full authority for reviewing and approving reclamation plans submitted to the lead agency until the time the lead agency's ordinances are revised in accordance with state policy.

(b) If, upon review of a lead agency's revised ordinance, the board finds the ordinance is still not in accordance with state policy, the board shall again communicate the ordinance's deficiencies in writing to the lead agency. The lead agency shall have a second 90-day period in which to revise the ordinance and submit it to the board for review. If the board again finds that the revised ordinance is not in accordance with state policy or if no revision is submitted, the board shall assume full authority for reviewing and approving reclamation plans submitted to the lead agency until the time the lead agency's ordinances are revised in accordance with state policy.

(c) In any jurisdiction in which the lead agency does not have a certified ordinance, no person shall initiate a surface mining operation unless a reclamation plan has been submitted to, and approved by, the board. Any reclamation plan, approved by a lead agency under the lead agency's ordinance which was not in accordance with state policy at the time of approval, shall be subject to amendment by the board or under the ordinance certified by the board as being in accordance with state policy.

(d) Reclamation plans approved by the board pursuant to this section shall not be subject to modification by the lead agency at a future date but may be amended by the board. Reclamation plans approved by the board shall be remanded to the lead agency upon certification of the lead agency's ordinance, and the lead agency shall approve the reclamation plan as approved by the board, except that a subsequent amendment as may be agreed upon between the operator and the lead agency may be made according to this chapter. No additional public hearing shall be required prior to the lead agency's approval. Nothing in this section shall be construed as authorizing the board to issue a permit for the conduct of mining operations.

§2775. (a) An applicant whose request for a permit to conduct surface mining operations in an area of statewide or regional significance has been denied by a lead agency, or any person who is aggrieved by the granting of a permit to conduct surface mining operations in an area of statewide or regional significance, may, within 15 days of exhausting his rights to appeal in accordance with the procedures of the lead agency, appeal to the board.

(b) The board may, by regulation, establish procedures for declining to hear appeals that it determines raise no substantial issues.

(c) Appeals that the board does not decline to hear shall be scheduled and heard at a public hearing held within the jurisdiction of the lead agency which processed the original application within 30 days of the filing of the appeal, or such longer period as may be mutually agreed upon by the board and the person filing the appeal. In any such action, the board shall not exercise its independent judgment on the evidence but shall only determine whether the decision of the lead agency is supported by substantial evidence in the light of the whole record. If the board determines the decision of the lead agency is not supported by substantial evidence in the light of the whole record it shall remand the appeal to the lead agency and the lead agency shall schedule a public hearing to reconsider its action.

§2776. No person who has obtained a vested right to conduct surface mining operations prior to January 1, 1976, shall be required to secure a permit pursuant to this chapter as long as the vested right continues and as long as no substantial changes are made in the operation except in accordance with this chapter. A person shall be deemed to have vested rights if, prior to January 1, 1976, he or she has, in good faith and in reliance upon a permit or other authorization, if the permit or other authorization was required, diligently commenced surface mining operations and incurred substantial liabilities for work and materials necessary therefor. Expenses incurred in obtaining the enactment of an ordinance in relation to a particular operation or the issuance of a permit shall not be deemed liabilities for work or materials.

The reclamation plan required to be filed under subdivision (b) of Section 2770, shall apply to operations conducted after January 1, 1976, or to be conducted.

Nothing in this chapter shall be construed as requiring the filing of a reclamation plan for, or the reclamation of, mined lands on which surface mining operations were conducted prior to January 1, 1976.

§2777. Amendments to an approved reclamation plan may be submitted detailing proposed changes from the original plan. Substantial deviations from the original plan shall not be undertaken until such amendment has been filed with, and approved by, the lead agency.

§2778. Reclamation plans, reports, applications, and other documents submitted pursuant to this chapter are public records, unless it can be demonstrated to the satisfaction of the lead agency that the release of such information, or part thereof, would reveal production, reserves, or rate of depletion entitled to protection as proprietary information. The lead agency shall identify such proprietary information as a separate part of the application. Proprietary information shall be made available only to the State Geologist and to persons authorized in writing by the operator and by the owner.

A copy of all reclamation plans, reports, applications, and other documents submitted pursuant to this chapter shall be furnished to the State Geologist by lead agencies on request.

§2779. Whenever one operator succeeds to the interest of another in any incompleting surface mining operation by sale, assignment, transfer, conveyance, exchange, or other means, the successor shall be bound by the provisions of the approved reclamation plan and the provisions of this chapter.

Article 6. Areas of Statewide or Regional Significance

§2790. After receipt of mineral information from the State Geologist pursuant to subdivision (c) of Section 2761, the board may by regulation adopted after a public hearing designate specific geographic areas of the state as areas of statewide or regional significance and specify the boundaries thereof. Such designation shall be included as a part of the state policy and shall indicate the reason for which the particular area designated is of significance to the state or region, the adverse effects that might result from premature development of incompatible land uses, the advantages that might be achieved from extraction of the minerals of the area, and the specific goals and policies to protect against the premature incompatible development of the area.

§2791. The board shall seek the recommendations of concerned federal, state, and local agencies, educational institutions, civic and public interest organizations, and private organizations and individuals in the identification of areas of statewide and regional significance.

§2792. Neither the designation of an area of regional or statewide significance nor the adoption of any regulations for such an

area shall in any way limit or modify the rights of any person to complete any development that has been authorized pursuant to part 2 (commencing with Section 11000) of Division 4 of the Business and Professions Code, pursuant to the Subdivision Map Act (Division 2 [commencing with Section 66410] of Title 7 of the Government Code), or by a building permit or other authorization to commence development, upon which such person relies and has changed his position to his substantial detriment, and, which permit or authorization was issued prior to the designation of such area pursuant to Section 2790. If a developer has by his actions taken in reliance upon prior regulations obtained vested or other legal rights that in law would have prevented a local public agency from changing such regulations in a way adverse to his interests, nothing in this chapter authorizes any governmental agency to abridge those rights.

§2793. The board may, by regulation adopted after a public hearing, terminate, partially or wholly, the designation of any area of statewide or regional significance on a finding that the direct involvement of the board is no longer required.

Article 7. Fiscal Provisions

§2795. (a) Notwithstanding any other provision of law, the first two million dollars (\$2,000,000) of moneys from mining

activities on federal lands disbursed by the United States each fiscal year to this state pursuant to Section 35 of the Mineral Lands Leasing Act, as amended (30 U.S.C. Sec. 191), shall be deposited in the Surface Mining and Reclamation Account in the General Fund, which account is hereby created, and may be expended, upon appropriation by the Legislature, for the purposes of this chapter. However, if in any fiscal year, the amount of money disbursed to the state pursuant to Section 35 of the Mineral Lands Leasing Act is less than twenty million dollars (\$20,000,000), then only the first one million one hundred thousand dollars (\$1,100,000) of that money shall be deposited in the Surface Mining and Reclamation Account for the next fiscal year.

(b) Proposed expenditures from the account shall be included in a separate item in the Budget Bill for each fiscal year for consideration by the Legislature. Each appropriation from the account shall be subject to all of the limitations contained in the Budget Act and to all other fiscal procedures prescribed by law with respect to the expenditure of state funds.

State Statutes
Ch. 9, Div. 2, P.R.C.

Revised 3-88

CHAPTER 8. MINING AND GEOLOGY

SUBCHAPTER 1. STATE MINING AND GEOLOGY BOARD

DETAILED ANALYSIS

Article 1. Surface Mining and Reclamation Practice

Section

- 3500. Purpose
- 3501. Definitions
- 3502. The Reclamation Plan
- 3503. Surface Mining and Reclamation Practice
- 3504. Administration by Lead Agency
- 3505. Special Provisions

Article 2. Areas Designated to be of Regional Significance

Section

- 3550. Introduction
- 3550.1. Tujunga and Pacoima Wash Areas of the San Fernando Valley Region, Los Angeles County
- 3550.2. Santa Clara River Valley Area of the Western Ventura County Region, Ventura County
- 3550.3. Simi Valley Area of the Simi Region, Ventura County
- 3550.4. Santa Ana River, Santiago Creek, Arroyo Trabuco, San Juan Creek, and Temescal Valley Areas of the Orange County-Temescal Valley Region, Orange, Riverside, and San Bernardino Counties
- 3550.5. San Gabriel River, Eaton Wash, Devils Gate, and Palos Verdes Areas of the San Gabriel Valley Region, Los Angeles County
- 3550.6. Construction Aggregate Resources, Western San Diego County Region

Article 3. Policies and Criteria of the State Mining and Geology Board with Reference to the Alquist-Priolo Special Studies Zones Act

Section

- 3600. Purpose
- 3601. Definitions
- 3602. Review of Preliminary Maps
- 3603. Specific Criteria

Article 1. Surface Mining and Reclamation Practice

3500. Purpose.

It is the purpose of this subchapter to establish state policy for the reclamation of mined lands and the conduct of surface mining operations in accord with the general provisions set forth in Public Resources Code, Division 2, Chapter 5, Section 2710 et seq. (Surface Mining and Reclamation Act of 1975, as amended by Statutes of 1980).

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2710-2795, Public Resources Code.

HISTORY:

1. New Chapter 8, Subchapter 1 (Sections 3500-3508, not consecutive, and Appendices A, B and C) filed 3-29-77; effective thirtieth day thereafter (Register 77, No. 14).
2. Amendment of NOTE filed 8-10-82; effective thirtieth day thereafter (Register 82, No. 33).
3. Repealer and new section filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

3501. Definitions.

The following definitions as used herein shall govern the interpretation of these regulations:

Angle of Repose. The maximum angle of slope (measured from horizontal plane) at which loose cohesionless material will come to rest on a pile of similar material.

Backfill. Earth, overburden, mine waste or imported material used to replace material removed during mining.

Borrow Pits. Excavations created by the surface mining of rock, unconsolidated geologic deposits or soil to provide material (borrow) for fill elsewhere.

Critical Gradient. The maximum stable inclination of an unsupported slope under the most adverse conditions that it will likely experience, as determined by current engineering technology.

Excavations for On-Site Construction. Earth material moving activities that are required to prepare a site for construction of structures, landscaping, or other land improvements (such as excavation, grading, compaction, and the creation of fills and embankments), or that in and of themselves constitute engineered works (such as dams, road cuts, fills, and catchment basins).

Grading. To bring an existing surface to a designed form by cutting, filling, and/or smoothing operations.

Intermittent Operation. A surface mine that is operated only periodically, one or more years between operating periods, either because needs for the minerals produced at such mine are supplied from stockpiles, or because market conditions require only an intermittent supply of these minerals.

Minerals. Any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.

Person. Any individual, firm, association, corporation, organization, or partnership, or any city, county, district, or the state or any department or agency thereof.

Reclamation Plan. The applicant's (operator's) completed and approved plan for reclaiming the lands affected by his surface mining operations conducted after January 1, 1976, as called for in Section 2772 of the Act.

Resoiling. The process of artificially building or reconstructing a soil profile.

Stream Bed Skimming. Excavation of sand and gravel from stream bed deposits above the mean summer water level or stream bottom, whichever is higher.

Surface Mining Operations. In addition to the provisions of Section 2735 of the Act, borrow pitting, streambed skimming, segregation and stockpiling of mined materials (and recovery of same) are deemed to be surface mining operations unless specifically excluded under Section 2714 of the Act or Section 3505 of these regulations.

Temporarily Deactivated Operation. A surface mine that has been closed down and that the operator has maintained in the expectation of reopening it when the conditions justify.

Topsoil. The upper part of the soil profile that is relatively rich in humus, which is technically known as the A-horizon of the soil profile.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2726-2735, Public Resources Code.

HISTORY:

1. Repealer of former Section 3501, and renumbering and amendment of former Section 3502 to Section 3501 filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18). For prior history, see Registers 82, No. 33 and 79, No. 35.

3502. The Reclamation Plan.

(a) Objectives. Reclamation plans shall be developed to attain the objectives of Public Resources Code Section 2712(a)-(c).

(b) Reclamation Plan Elements. In addition to the information required by Public Resources Code Section 2772, the following elements shall be included in the reclamation plan:

(1) The environmental setting of the site of operations and the effect that possible alternate reclaimed site conditions may have upon the existing and future uses of surrounding lands.

(2) The public health and safety, giving consideration to the degree and type of present and probable future exposure of the public to the site.

(3) The designed steepness and proposed treatment of the mined lands' final slopes shall take into consideration the physical properties of the slope material, its probable maximum water content, landscaping requirements, and other factors. In all cases, reclamation plans shall specify slope angles flatter than the critical gradient for the type of material involved. Whenever final slopes approach the critical gradient for the type of material involved, regulatory agencies shall require an engineering analysis of the slope stability. Special emphasis on slope stability and design shall be necessary when public safety or adjacent property may be affected.

(4) Areas mined to produce additional materials for backfilling and grading, as well as settlement of filled areas, shall be considered in the reclamation plan. Where ultimate site uses include roads, building sites, or other improvements sensitive to settlement, the reclamation plans shall include compaction of the fill materials in conformance with good engineering practice.

(5) Disposition of old equipment.

(6) Temporary stream or watershed diversions.

(c) Adequacy. In judging the adequacy of a particular reclamation plan in meeting the requirements described herein and within the Act, the lead agency

shall consider the physical and land-use characteristics of the mined lands and their surrounding area pursuant to Public Resources Code Section 2773.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2712(a)-(c), 2756-2757, 2770 and 2772-2773, Public Resources Code.

HISTORY:

1. Renumbering and amendment of former Section 3502 to Section 3501, and new Section 3502 filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18). For prior history, see Registers 82, No. 33 and 79, No. 35.

3503. Surface Mining and Reclamation Practice.

The following are minimum acceptable practices to be followed in surface mining operations:

(a) Soil Erosion Control.

(1) The removal of vegetation and overburden, if any, in advance of surface mining shall be kept to the minimum.

(2) Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.

(3) Erosion control facilities such as retarding basins, ditches, streambank stabilization, and diking shall be constructed and maintained where necessary to control erosion.

(b) Water Quality and Watershed Control.

(1) Settling ponds or basins shall be constructed to prevent potential sedimentation of streams at operations where they will provide a significant benefit to water quality.

(2) Operations shall be conducted to substantially prevent siltation of ground-water recharge areas.

(c) Protection of Fish and Wildlife Habitat. All reasonable measures shall be taken to protect the habitat of fish and wildlife.

(d) Disposal of Mine Waste Rock and Overburden. Permanent piles or dumps of mine waste rock and overburden shall be stable and shall not restrict the natural drainage without suitable provisions for diversion.

(e) Erosion and Drainage. Grading and revegetation shall be designed to minimize erosion and to convey surface runoff to natural drainage courses or interior basins designed for water storage. Basins that will store water during periods of surface runoff shall be designed to prevent erosion of spillways when these basins have outlet to lower ground.

(f) Resoiling. When the reclamation plan calls for resoiling, coarse hard mine waste shall be leveled and covered with a layer of finer material or weathered waste. A soil layer shall then be placed on this prepared surface. Surface mines that did not salvage soil during their initial operations shall attempt, where feasible, to upgrade remaining materials. The use of soil conditioners, mulches, or imported topsoil shall be considered where revegetation is part of the reclamation plan and where such measures appear necessary. It is not justified, however, to denude adjacent areas of their soil, for any such denuded areas must in turn be reclaimed.

(g) Revegetation. When the reclamation plan calls for revegetation the available research addressing revegetation methods and the selection of species having good survival characteristics, for the topography, resoiling characteristics, and climate of the mined areas shall be used.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2756 and 2757, Public Resources Code.

HISTORY:

1. Repealer of former Section 3503, and renumbering and amendment of former Section 3504 to Section 3503 filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18). For prior history, see Register 82, No. 33.

TITLE 14**MINING AND GEOLOGY**§ 3506
(p. 100.1)

(Register 85, No. 18—5-4-85)

3503.1. Reclamation Plan Elements.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2756, 2757, 2772 and 2773, Public Resources Code.

HISTORY:

1. Repealer filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

3504. Administration by Lead Agency.

(a) Record Keeping. The lead agency shall establish and maintain in-house measures and procedures to ensure organized record-keeping and monitoring of surface mining reclamation under its jurisdiction. The lead agency shall forward a copy of each permit and approved reclamation plan to the California Division of Mines and Geology (Sacramento).

(b) Performance Assurances. The lead agency shall ensure that the objectives of the reclamation plan will be attained. This may include provisions for liens, surety bonds or other security, to guarantee the reclamation in accordance with the approved reclamation plan.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2757, 2758(b), 2774(a) and 2778, Public Resources Code.

HISTORY:

1. Renumbering and amendment of former Section 3504 to Section 3503, and renumbering and amendment of former Section 3505 to Section 3504 filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18). For prior history, see Register 82, No. 33.

3505. Special Provisions.

(a) Exemptions. In addition to the provisions of Public Resources Code Section 2714(a), (c) and (d), any surface mining operation that does not involve either the removal of a total of more than 1000 cubic yards of minerals, ores, and overburden, or involve more than one acre in any one location, shall be exempt from the provisions of the Act.

(b) Vested Rights. The permit and reclamation plan requirements for persons with vested rights are stated in Public Resources Code Section 2776.

Where a person with vested rights continues surface mining in the same area subsequent to January 1, 1976, he shall obtain an approval of a reclamation plan covering the mined lands disturbed by such subsequent surface mining. In those cases where an overlap exists (in the horizontal and/or vertical sense) between pre- and post-Act mining, the reclamation plan shall call for reclamation proportional to that disturbance caused by the mining after the effective date of the Act.

NOTE: Authority cited: Sections 2714(d) and 2755, Public Resources Code. Reference: Sections 2714, 2758(c) and 2776, Public Resources Code.

HISTORY:

1. Renumbering and amendment of former Section 3505 to Section 3504, and renumbering and amendment of former Section 3506 to Section 3505 filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18). For prior history, see Register 82, No. 33.

3506. Special Provisions.

NOTE: Authority cited: Sections 2714(d) and 2755, Public Resources Code. Reference: Sections 2714, 2758(c) and 2776, Public Resources Code.

HISTORY:

1. New NOTE filed 8-10-82; effective thirtieth day thereafter (Register 82, No. 33).
2. Renumbering and amendment of Section 3506 to Section 3505 filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

§ 3507

(p. 100.2)

MINING AND GEOLOGY**TITLE 14**

(Register 85, No. 18—5-4-85)

3507. Suggested Form for Reclamation Plan.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2756, 2757, 2758(b), 2772 and 2773, Public Resources Code.

HISTORY:

1. New NOTE filed 8-10-82; effective thirtieth day thereafter (Register 82, No. 33).
2. Repealer filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

3507.1. Confidential Information.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Section 2778, Public Resources Code.

HISTORY:

1. New NOTE filed 8-10-82; effective thirtieth day thereafter (Register 82, No. 33).
2. Repealer filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

3507.2. Multiple Operations in a Single Plan.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2756, 2757, 2758(b), 2772 and 2773, Public Resources Code.

HISTORY:

1. New NOTE filed 8-10-82; effective thirtieth day thereafter (Register 82, No. 33).
2. Repealer filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

3508. Model Surface Mining and Reclamation Ordinance.

NOTE: Authority cited: Section 2755, Public Resources Code. Reference: Sections 2758(b) and 2774(a), Public Resources Code.

HISTORY:

1. New NOTE filed 8-10-82; effective thirtieth day thereafter (Register 82, No. 33).
2. Repealer filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

APPENDICES A-C**HISTORY:**

1. Repealer of Appendices A-C filed 4-29-85; effective thirtieth day thereafter (Register 85, No. 18).

Article 2. Areas Designated to be of Regional Significance**3550. Introduction.**

Pursuant to Section 2790 of the Surface Mining and Reclamation Act, the Mining and Geology Board designates certain mineral resource sectors within the following geographical areas to be of regional significance.

NOTE: Authority and reference cited: Section 2790, Public Resources Code.

HISTORY:

1. New Article 2 (Sections 3550 and 3550.1) filed 10-22-81; effective thirtieth day thereafter (Register 81, No. 43).

3550.1. Tujunga and Pacoima Wash Areas of the San Fernando Valley Region, Los Angeles County.

On January 7, 1981, following a December 11, 1980, public hearing, the Mining and Geology Board designated Sectors A, B, C, and D of the Tujunga and Pacoima Wash areas to be of regional significance. In general, these sectors are described as follows:

- (1) Sector A—Tujunga Valley east of the Hansen Dam flood control basin, west of the 210 freeway and excluding identified archaeological sites;
- (2) Sector B—the Hansen Dam Area;
- (3) Sector C—an area southwest of Hansen Dam; and
- (4) Sector D—Pacoima Wash north of Lopez Dam.

THOMPSON & COLEGATE

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

3610 FOURTEENTH STREET

P. O. BOX 1299

RIVERSIDE, CALIFORNIA 92502

(714) 682-5550

DON C. BROWN *
JAMES D. WARD *
LEIGHTON B. TEGLAND
DON G. GRANT
J. E. HOLMES III
ROBERT B. SWORTWOOD
JOHN W. MARSHALL
JOHN A. BOYD
TIMOTHY J. CORCORAN
DUANE A. NEWTON
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GEOFFREY H. HOPPER
WALTER L. FARMER
MICHAEL A. GOLDWARE

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M. WAYNE TUCKER
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(1885-1962)
ROY W. COLEGATE
(1906-1960)

JAMES M. WORTZ
OF COUNSEL

FAX (714) 781-4012

October 20, 1989

*A PROFESSIONAL CORPORATION

REPLY
ATTENTION:

John A. Boyd

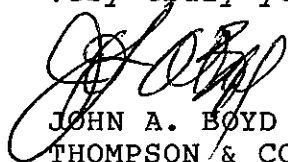
Steve Kupferman
Engineering Geologist
Riverside County Planning Dept.
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Dear Mr. Kupferman:

As a follow-up to my last correspondence regarding a blast to be performed by Paul Hubbs Construction, this letter is to inform you that this blast must be rescheduled to the week of November 27, 1989. As I indicated in my last letter, the operations at the rock quarry can easily change in scope depending upon Hubbs Construction's need for new materials. It appears now that this blast will not take place until the week after Thanksgiving, again I will be in close contact with you as the date and time for that test blast become more apparent. The blast will likely occur in the afternoon, and I will make every effort to give you as much advance notice as possible.

Again, please direct all correspondence or questions you may have regarding this matter to the undersigned or Mr. Keith McCullough of this office.

Very truly yours,



JOHN A. BOYD of
THOMPSON & COLEGATE

KEM:lw
cc: Tony Paredes
Hubbs Construction

RECEIVED
OCT 25 1989

RIVERSIDE COUNTY
PLANNING DEPARTMENT

RIVERSIDE COUNTY PLANNING DEPARTMENT

January 21, 1988

Paul Hubbs Construction Company
140 West Valley Boulevard
Rialto, CA 92376

Attention: Mr. Tony Paredes

Subject: Reclamation Plan No. 123
Stringfellow Quarry

Dear Tony:

We have reviewed your Reclamation Plan submitted in accordance with Riverside County Ordinance No. 555 for the Stringfellow Quarry.

Your plan should be revised and/or updated with respect to the following:

1. The reclamation plan exhibit should be updated to show the existing contours, rather than the topography of the site in 1982. Also, the scale and contour interval should be sufficient to show actual topographic details. You may want to consider having the site flown and a map prepared at a scale of 1"=100' or larger.
2. The reclamation plan exhibits should include a north arrow, scale, date of map preparation, source of map and date of latest revision.
3. The name and address of applicant, representative and landscape architect should be on the reclamation plan exhibit.
- * 4. Existing post reclamation drainage including critical area within or near the project area. Show direction of flows with arrows.
5. Erosion and sediment control structures or treatments such as berms, siltation ponds, and diversions should be shown on the reclamation plan exhibit.
6. Landscaping including names of plant species, size, spacing of plants, and/or areas to be hydroseeded should be shown on the reclamation plan exhibit.
7. Show post-mining safety features such as fences, gates and signs.

*Telcon 2/19 w/ Tony to remind him to
proceed w/ above work.*

Paul Hubbs Construction Company

- 2 -

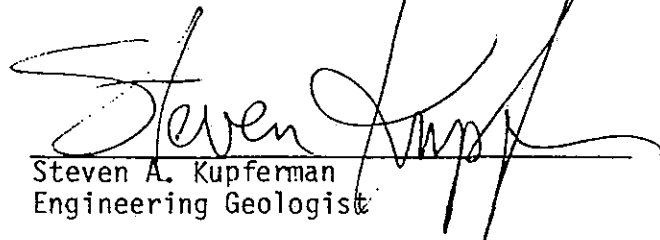
January 21, 1988

Attached are copies of letters from the County of Riverside, Department of Health (dated November 13, 1987) and the State of California, Department of Health Services (dated December 3, 1987) with their comments concerning your reclamation plan. We would like to discuss these comments with you so that the applicable concerns identified in these letters can be incorporated into your reclamation plan.

Please do not hesitate to call me at (714) 787-1377 if you have any questions.

Very truly yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Roger S. Streeter - Planning Director


Steven A. Kupferman
Engineering Geologist

SAK:rd

DEPARTMENT OF HEALTH SERVICES

107 SOUTH BROADWAY, ROOM 7011
LOS ANGELES, CA 90012
(213) 620-2380



(916) 323-2945

December 3, 1987

Mr. Steve Kupferman
Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Dear Mr. Kupferman:

The State of California, Department of Health Services (DHS) owns several properties in the vicinity of the Stringfellow Quarry. In addition, DHS has lead responsibility for the mitigation of the Stringfellow Hazardous Waste Site also located next to the Stringfellow Quarry. During the course of investigation into the best mitigation method for the Stringfellow Site and pursuant to Health and Safety Code Section 25358.3, DHS and the Environmental Protection Agency, (EPA) installed several extraction and monitoring wells throughout Pyrite Canyon. During the course of operation of the Stringfellow Quarry, several of these wells have been buried under rocks and quarry debris and have been run over by trucks and rock moving equipment. This destruction of public property is a continuing problem and is substantially impeding the Department's efforts to protect the public health and safety. To help resolve these and other similar problems, the DHS recommends that, as part of the Stringfellow Quarry Reclamation Plan, the following items be included:

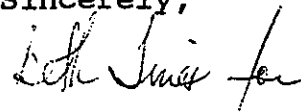
- o 1 No DHS/EPA monitoring or extraction wells or equipment be damaged or destroyed during reclamation or quarry operation.
- o 2 Reclamation and operation shall include the restoration of all EPA/DHS monitoring wells and equipment already damaged or destroyed by quarry operation.
- o 3 DHS will be reconstructing Pyrite Creek as it runs beside the quarry to divert surface water from the site area to the flood control channel near Highway 60. The quarry operation and reclamation process should not impact, alter or destroy this reconstruction project.
- o 4 The well used for quarry operation water supply should be tested for chemical contamination yearly. If water usage from the well exceeds 20 gallons per day, the water should be tested quarterly to insure appropriate usage for quarry operations.

Mr. Steve Kupferman
December 3, 1987
Page two

- ✓ o 5 The Pyrite Creek channel should be maintained and cleared of vegetation yearly.
- ✓ o 6 The property owner should notify the County of any spills of fuels or other chemicals which may occur during operation or reclamation.
- ✓ o 7 The property owner shall provide access to DHS/EPA monitoring and extraction wells as necessary for site and extraction system operation during and after the reclamation project. This access shall include sufficient area around each well for truck access.

✓ I appreciate the opportunity to comment on this reclamation plan and hope these recommendations may be included in the eventual quarry closure plan. If you have any questions, please contact Beth Jines of my staff, at (916) 323-2990.

Sincerely,



Ted Rauh, Manager
Stringfellow Project

County of Riverside

DEPARTMENT OF HEALTH

RECEIVED

NOV 17 1987
11-13-87

TO:

RIVERSIDE COUNTY PLANNING DEPT.
Steve Kupferman, Geologist

DATE:

RIVERSIDE COUNTY
PLANNING DEPARTMENT

FROM:

~~11-16-87~~
Earl Tuntland, Environmental Health Services Manager

RE:

RECLAMATION PLAN 123

Environmental Health Services (EHS) has reviewed the proposed Reclamation Plan No. 123 for the Stringfellow Quarry and we have the following comments:

1. The plan should encompass approximately 60 acres as indicated on Appendix D, rather than the 227.55 acres noted on the cover memo. Environmental Health Services comments reflect the quarry area only and does not address the Stringfellow disposal site area.
2. Drainage (surface) from the quarry area should be directed well away from the Stringfellow site area and should be coordinated with the State Department of Health Services, Toxic Substances Control Division, Stringfellow Site Management Team and the Riverside County Flood Control and Water Conservation District.
3. Any future blasting activities should be coordinated with the State Department of Health Services to assess impacts to the Stringfellow site.

If you have any questions concerning our comments, please contact me at 787-6543.

ET:tac

cc: State Department of Health Services
Toxic Substances Control Division
ATTN: Mr. Ted Rawh
John Fanning, Director
Environmental Health Services

DIVISION 5. PERMIT REGULATIONS FOR EXPLOSIVES.

Chapters:

1. Definitions
2. Prohibition
3. Permit
4. General Provisions

Chapter 1

DEFINITIONS

45.011 For the purposes of this Division the following terms shall bear the connotations set forth below:

(a) "Authorized representative" shall mean a representative or agent of an association or organization, who will act for such entity in being in charge of, and responsible for, explosives. Such an authorized representative will share liability jointly with such entity for all actions or instances proximately related to the explosives.

(b) "Employee" shall mean an employee of a corporation who will act for the corporation in being in charge of, and responsible for, explosives. Such an employee will share liability jointly with such a corporation for all actions or instances proximately related to the explosives.

(c) "Explosive" shall mean any substance, or combination of substances the primary or common purpose of which is detonation or rapid combustion and which is capable of a relatively instantaneous or rapid release of gas and heat, or any substance, the primary purpose of which, when combined with any other substance, is to form a substance capable of a relatively instantaneous or rapid release of gas and heat. The term "explosives" shall include, but shall not necessarily be limited to, any of the following:

(1) Dynamite, nitroglycerine, picric acid, lead azide, fulminate of mercury, black powder, smokeless powder, propellant explosives, detonating primers, blasting caps, and or commercial boosters;

(2) Substances determined to be Class "A" and Class "B" explosives as classified by the United States Department of Transportation;

(3) Nitro carbo nitrate substances (blasting agent) as classified by the United States Department of Transportation;

(4) Any material designated as an explosive by the State Fire Marshal. Such designation shall be made pursuant to the classification standards established by the United States Department of Transportation. The State Fire Marshal shall adopt regulations in accordance with the provisions of Chapter 4.5 (commencing with Section 11371), Part 1, Division 3, Title 2 of the Government Code of the State of California to establish procedures for the classification and designation of explosive

materials or explosive devices that are not under the jurisdiction of the United States Department of Transportation;

(5) Certain Class "C" explosives as designated by the United States Department of Transportation when listed in regulations adopted by the State Fire Marshal.

For the purposes of this part, the term "explosives" shall not include any destructive device, as defined in Section 12301 of the Penal Code, nor shall it include ammunition or small arms primers manufactured for use in shotguns, rifles, or pistols.

(d) "Issuing authority" shall mean the Sheriff of San Bernardino County, his deputies or agents;

(e) "Magazine" shall mean any building, structure, or container, other than an explosives manufacturing building, authorized for the storage of explosives;

(f) "Permit" shall mean a permit issued pursuant to the provisions of this Division.

(g) "Person" shall mean any individual, organization, firm, corporation or association.

Chapter 2

PROHIBITION

45.021 No person shall do any one of the following without first having made application for and received a permit in accordance with the provisions of this Division.

(a) Manufacture explosives;

(b) Sell, give, deliver, or otherwise dispose of explosives;

(c) Receive, store, or possess explosives;

(d) Transport explosives;

(e) Use explosives;

(f) Operate a terminal for handling explosives;

(g) Park or leave standing any vehicle carrying explosives, except when parked or left standing in or at a safe stopping place designated as such by the State Fire Marshal under the provisions of Division 14 (commencing with Section 31600) of the Vehicle Code.

45.022 No person shall abandon or otherwise dispose of any explosive in any manner which might, as the result of such abandonment or disposal, create any danger or threat of danger to life or property. Any person in possession or control of explosives required in the performance of his duties shall, when the need for such explosives no longer exists, either return the explosives to the source from which the explosives were obtained, or to the issuing authority for disposal or shall destroy the explosives in a safe manner

so as not to make them available to persons who might obtain them and use them in a manner prejudicial to the safety of life and property. Magazines or temporary magazines used for storage purposes in any area where blasting is required shall, when the need for such storage no longer exists and the explosives have been removed or disposed of as above required, be removed or demolished, or signs indicating the presence of explosives in such magazines or on the premises on which such magazines are located, shall be removed or effectively obliterated, and the issuing authority who issued the storage permit shall be immediately notified of the action taken.

45.023 No explosives permittee shall lend his permit or allow it to be used by another person.

45.024 This Division does not apply to the transportation and use of explosives by representatives of the California Highway Patrol, the State Bureau of Criminal Identification and Investigation, local police departments, Sheriff's department, and fire departments acting in their official capacity.

45.025 This Division does not apply to any possession or use of twenty (20) pounds or less of smokeless powder, or one (1) pound or less of black sporting powder, provided that:

(a) Smokeless powder is intended only for handloading of small arms ammunition of .75 caliber or less;

(b) Black sporting powder is intended for loading of small arms or small arms ammunition of .75 caliber or less;

(c) All such powder is for private use and not for resale, and in the case of black sporting powder there shall be no gift, delivery, or other disposition to another person.

(d) The storage, use, and handling of such smokeless and black powder conforms to rules, regulations, or ordinances of authorities having jurisdiction for fire prevention and suppression in the area of such storage, use, and handling of such explosives.

Chapter 3

PERMIT

45.031 Application for a permit shall be in writing; shall be presented to the issuing authority; and shall be on a form supplied by the issuing authority.

45.032 A permit application shall, when submitted to the issuing authority, prior to the contemplated use of the explosives, contain the following:

(a) The name and address of the applicant;

(b) The name and address of the employee or authorized representatives designated by the applicant as being responsible for the use, handling, storage, possession or transportation of explosives for the applicant;

(c) The place where, and the purpose for which, the explosives are intended to be used, handled, stored or possessed;

(d) The type and amount of explosives for which application is made;

(e) The signature of the applicant;

(f) The number of times purchases may be made and the frequency of such purchases;

(g) The routes, highways, and stopping places intended to be utilized in transporting the explosives;

(h) Whether the applicant, or its employee or authorized representative designated as being responsible for the use, etc., of the explosives:

(1) Is an alien;

(2) Has been convicted of a felony;

(3) Has been convicted of a violation of California Health and Safety Code Section 11721;

(4) Is a registered sex offender pursuant to the provisions of California Penal Code Section 290;

(5) Has been adjudged at any time incompetent and/or insane.

(i) A recent photograph of the applicant, or the employee, or authorized representative, known as a "mug shot";

(j) A set of fingerprints of the applicant, or the employee or authorized representative.

A statement of the applicant's or the employee's or authorized representative's previous experience with explosives shall be submitted with the application.

45.033 The issuing authority shall examine the application, and if deemed necessary, require elaboration from the applicant on any subject matter disclosed in the application, when such elaboration relates to the competency of any person to be involved with the explosives. The issuing authority may also visit and inspect the applicant's premises, facilities, and/or vehicles which will be employed with regard to any transportation, storage or use of the explosives.

45.034 After the issuing authority has weighed and studied all available information pertaining to the applicant's proposed use of the explosives, the issuing authority shall grant the permit, or if he finds that any person involved, lacks the necessary knowledge or planning with regard to ability to perform the contemplated uses with explosives, or that the property involved lacks the necessary characteristics from the standpoint of location

of facilities, all with regard to safety of the individuals involved, public safety and security of public and private property, the issuing authority may deny the application.

No application for such a permit shall be approved by the issuing authority unless the storage facility is in strict compliance with the regulations adopted by the State Fire Marshal pursuant to Section 12081 of the California Health and Safety Code.

If the application is for a permit to transport one thousand (1,000) pounds or less of explosives on a public road or highway, the application shall include the following information:

(a) A description of the vehicle or vehicles which will be employed in the transportation:

(b) The route to be taken for such transportation and any stopping places. The description of such a vehicle shall include license number, make, model, weight, and a maintenance record of such a vehicle. The route proposed shall be subject to approval of the issuing authority.

45.035 Before a permit shall be issued, the applicant shall post a bond in the amount of twenty-five thousand dollars (\$25,000) with the issuing authority to insure compliance with this Division, or submit evidence of a public liability insurance policy providing coverage for the activities proposed under the permit, for a minimum of the above sum, when deemed necessary by the issuing authority for public safety.

45.036 A permit shall not be issued until after the payment of a fee of ten dollars (\$10.00), unless the quantity of explosives is one hundred (100) pounds or less, in which case the fee shall be two dollars (\$2.00).

45.037 Except in a case in which the issuing authority determines that the explosives are necessary because of an emergency involving a danger to persons or property, no permit shall be issued until one (1) week has elapsed after application is made. If no affirmative action is taken on the application within fourteen (14) days after application is made, the issuing authority shall explain the cause for such delay to the applicant.

45.038 A permit shall remain valid only until such time as the act or acts authorized by the permit are performed, but in no event shall the permit remain valid for a period longer than one (1) year from the date of issuance of the permit.

45.039 A permit may be suspended or revoked, after reasonable notice by the issuing authority, if the person to whom the permit was issued sells, uses, stores, or handles the explosives in a manner which is unlawful or which creates an unreasonable hazard to life and property, or in violation of the conditions of the permit as indicated on the application.

Chapter 4

GENERAL PROVISIONS

45.041 Any decision or action of the issuing authority made pursuant to Division 5 of this Code may be appealed in writing by letter addressed to the Clerk of the Board of Supervisors, within ten (10) days of the decision or action from which such appeal is taken. Within ten (10) days of such appeal the Board of Supervisors shall hear and determine such appeal; the matter may be continued for reasonable cause. The burden shall be on the permittee or person, to prove that the decision or action in question was arbitrary or capricious or an abuse of discretion. The hearing before the Board of Supervisors shall be noticed in writing to the permittee and the issuing authority five (5) days in advance of such hearing. That Board may reverse the decision or action of the issuing authority or may affirm it.

45.042 The provisions of Division 5 of this Code are intended to apply in addition to, and to be supplementary to, the provisions of California Health and Safety Code, Division XI, Part 1 (commencing with Section 12000), California Vehicle Code, Division XIV (commencing with Section 31600), and the California Administrative Code, Title 19, Subchapter 10 (commencing with Section 1500).

The Board of Supervisors finds that the provisions of Division 5 of this Code are not in conflict with the aforementioned State law, and each of the provisions of the laws mentioned in this section shall be operative in such a manner that is consistent and reasonable with each and every other provision of law hereof.

DEPARTMENT OF HEALTH SERVICES

714/744 P STREET
P.O. BOX 942732
SACRAMENTO, CA 94234-7320



(916) 324-7193

July 19, 1989

TO: Stringfellow Advisory Committee (SAC)

Dear Members:

Attached is the July Stringfellow Project Report and schedule. Highlights of this update are as follows:

1. Community Extraction System (Phase I) - The geophysical work to assist in design of the Community Extraction System was completed. A draft Geophysical Report will be issued in late July, and a final report will be available by October, 1989.
2. Lower Canyon Extraction System - The installation of monitoring and extraction wells has been completed. Work continues on the installation of the Pyrite Street bridge, channel gunite and mechanical and electrical systems for the extraction wells and storage tanks.

If you have any questions regarding the attached update and schedule please feel free to contact me at the above telephone number.

Sincerely,

A handwritten signature in cursive script that reads "Jan Meyer for".

Ted Rauh, Chief
Program and Administrative
Support Division
Toxic Substances Control Program

Enclosure

cc: Kenneth W. Kizer, M.D., M.P.H.
Alex R. Cunningham
C. David Willis
Jerry Clifford, EPA
Jeanne Dunn, EPA
Karen Ueno, EPA

STRINGFELLOW PROJECT STATUS REPORT

July 19, 1989

**THIS REPORT CONTAINS A COMBINED STATUS OF ACTIVITIES LEADING
TOWARD REMEDIATION OF THE STRINGFELLOW HAZARDOUS WASTE SITE
CARRIED OUT BY THE DEPARTMENT OF HEALTH SERVICES AND THE
ENVIRONMENTAL PROTECTION AGENCY**

**PREPARED BY: DEPARTMENT OF HEALTH SERVICES IN COORDINATION
WITH THE ENVIRONMENTAL PROTECTION AGENCY**

STRINGFELLOW PROJECT STATUS
July 19, 1989

REMEDIAL INVESTIGATION/FEASIBILITY STUDY

1. Remedial Investigation Report - The draft report was completed and released for public review on June 4, 1987. The public comment period ended September 22, 1987. The RI Report Responsiveness Summary is currently under preparation and is expected to be completed in Fall, 1989.
2. Feasibility Study Report - The FS Report was released on June 30, 1988. The public comment period for the FS Report was to end on September 30, 1988. In response to public request, an extension to November 29, 1988 was given. The Proposed Plan for the overall site remedy was mailed at the end of February, 1989. The FS Responsiveness Summary is currently being prepared and is expected to be completed with the Record of Decision in Fall, 1989.

The Remedial Investigation/Feasibility Study contract with Science Applications International Corporation ended on June 30, 1989.

3. Routine Groundwater Monitoring - Kleinfelder has completed the May routine groundwater sampling round and is currently preparing the data report.

Kleinfelder has begun sampling the new lower canyon extraction barrier wells. Twenty four wells will be sampled in July and seventeen of these wells will be sampled quarterly. Three wells are to be sampled semi-annually and the remaining four wells will be sampled once. The analysis will be for pCBA, routine volatile organic halogen (VOX) parameters (trichloroethylene, chloroform, chlorobenzene and dichlorobenzene), sulfate total organic carbon and total organic halogens.

REMEDY SELECTION PROCESS

4. Community Extraction System Proposed Plan/Public Comment - The public comment period ended on November 29, 1988. The proposed plan is described in the June/July, 1988 Stringfellow Update newsletter. Because of the renote of the cost estimates for this proposal, the comment period on the costs estimates only, was reopened and ended on May 15, 1989. The comment period was extended again, to June 15, 1989 to accommodate public requests and the receipt of comments from the Community Technical Advisor.

5. Site Remediation Proposed Plan/Public Comment - The Proposed Plan was mailed on February 28, 1989. The public comment period was extended until May 15, in response to public request and to accommodate the renote of the cost estimates for the implementation of the community extraction system and overall site remedy proposals. The comment period was extended again, to June 15, 1989 to accommodate public requests and the receipt of comments from the Community Technical Advisor.
6. Record of Decision - The Agencies have decided to combine the ROD's for the community extraction system and the overall site remedy into a single document, which is expected to be signed at the end of Fall, 1989. This action will not have any effect on the schedule for the community wells Phase I design activities being conducted by the Defendants, as they are already ongoing.

REMEDIAL DESIGN - CONSTRUCTION

7. Community Extraction System - Shallow Seismic Refraction was used to map the location of the top of bedrock and other subsurface features at two locations in the Community area. These tests were conducted by Norcal Geophysical of Petaluma, with Bechtel geophysicist Nick Gregor monitoring the work. Approximately 3,500 feet of seismic line was used in the northern well area near Mission Boulevard and Pyrite Streets and approximately 11,000 feet of seismic line were used in the southern well area. The results from these geophysical investigations will aid in confirming the locations for the testing wells.

The Draft geophysical report is expected to be received by DHS/EPA in July, 1989 and a final geophysical report is expected to be out by October, 1989.

The initial data gathering system will consist of fourteen monitoring/observation wells and will utilize two existing wells. In addition, there will be two pumping wells, one of which will be an existing well. Short and long-term pump tests will be conducted at these wells in order to provide data necessary for the design of the overall extraction system.

EARLY IMPLEMENTATION ACTIVITIES

8. Surface Channels - DHS rejected the one bid received for the initial procurement package on the surface channels. DHS prepared a new procurement package and went out to bid. Five bids were received. On February 27, 1989, a Notice of Intent to Award the contract to W. M. Lyles Company was posted. A bid protest was received on March 6, 1989 and was heard on May 26, 1989. The judge ruled in W.M. Lyles favor. The contract was executed and a notice to proceed on this project was given on June 29, 1989. The W.M. Lyles Company is beginning to mobilize their equipment to initiate construction. W.M. Lyles will provide DHS with a construction schedule on July 28, 1989.
9. Lower Canyon Extraction System - Construction continues on the lower canyon extraction system. The work associated with channel reconstruction is 85% complete. The channel is being finish graded and final preparations are underway for channel gunite. Bridge #1 (Bridge for Pyrite Street over the new channel) is near complete with work continuing on forming and placing the barrier railings.

The well installation is complete. Dedicated sampling pumps were installed in all extraction wells. All the new lower canyon wells were sampled by Kleinfelder, the routine monitoring contractor. Results from the well sampling are expected in early August. The tanks are complete. Work continues on installation of mechanical and electrical systems for the extraction system.

The work is ahead of schedule.

OTHER PROJECT ACTIVITIES

10. Other Procurement Activities -
 - a. Community Relations - The contract was executed on June 6, 1989 and Fox and Associates will begin work on July 1, 1989, which will allow sufficient time to transition these activities from the existing contractor (SAIC).
 - b. Site Maintenance - On June 15, 1989, DHS opened the bids received for the reprocurement of the Site Maintenance contract. Three bids were received, which are being reviewed for responsiveness and responsibility. A Notice of Intent to award was posted on July 14, 1989. It is anticipated that the contract will be executed on September 12, 1989.

- c. Community Technical Advisor - DHS amended the Community Technical Advisor contract with Environ to provide \$10,000 for the preparation of comments on the Proposed Plan for the overall site remedy. The comments were received on June 15, 1989. The contract expired on June 30, 1989.
- 11. Packer Study - Field work was initiated in April, 1988 and concluded in August, 1988. The Study was designed to investigate the hydraulic properties and depth of contamination in the fractured bedrock below the site. SAIC submitted the first draft of the final report on March 3, 1989. The Agencies submitted comments to SAIC and the final report should be submitted by the end of July, 1989.
- 12. Pre-Treatment Plant Operations -
June, 1989 operating statistics:
 - a. 464,200 gallons of treated effluent were discharged to the SARI line. All effluent complied with permit requirements.
 - b. 94.73 tons of filter cake (plant generated sludge) were shipped to Chem Waste Management, Kettleman Hills.

Public bid opening for O & M of Pretreatment Plant was held on April 26, 1989. Acurex was the lowest bidder, but CDM has filed a protest, and the contract cannot be awarded until a final decision has been made by U. S. Army Corps of Engineers. The current CDM contract which was supposed to expire on May 30, 1989 has been extended to ensure uninterrupted operation of the Pretreatment Plant.
- 13. Freeze Crystallization Test -
Site preparation for the Freeze Crystallization Test at the Stringfellow Site began on July 12, 1989 with the backhoe excavation. It is anticipated that the concrete pad for the Freeze Test will be poured on July 14, 1989 and that the Freeze unit will arrive on the Stringfellow Site on July 24, 1989.

A:sacupJuly

AGENDA

Stringfellow Advisory Committee

July 19, 1989

12:30pm

- o Review of the Minutes from June 21, 1989 meeting.
- o Project Status.
 - Lower Canyon Extraction System.
 - Community Extraction System.
- o Project Schedule.
- o Pretreatment Plant.
- o Other Items.

**Stringfellow Advisory Committee Meeting
Minutes
June 21, 1989**

Members Present

Jan Meyer - DHS, TSCD
Bill Draper - DHS, TSCD
Beth Jines - DHS, TSCD
Dave Jones - EPA
Karen Ueno - EPA
Leannah Bradley - Congressman Brown
Tom Mullen - Senator Presley
Penny Newman - CNA
Kurt Berchtold - Santa Ana Regional Water Quality Control Board
Arlene Sontag - Orange County Hazardous Materials Program
Denese Wecker - Orange County League of Women Voters
William Mahoney - Orange County League of Cities
Talulah Sherer - Supervisor Melba Dunlap

Others Present

Pablo Gutierrez - DHS
Richard Bailey - DHS
Barbara Fox - Fox and Associates
Art Gandy - Fox and Associates
Raymond Madetzke
Maurine Madetzke
Dr. Thomas Fogg - SAIC
Lej Pagwa - DHS
Florence Gibson - CNA
F.W. Britt - Britt & Associates
Udai Singh - CH2M Hill
Richard Hanks - KRSO Radio
Rita Croom - Klein, Wegis & Duggan
Mike Sorensen - DHS
Linda Spinney - CNA
Christine Smith - CNA
Charlie Cashen - CNA
Pat Jones - Army Corps of Engineers
Sally Merha - CNA
John Sheldon
Darlene Burton - CNA
Leah Burton
Dave Busse - KABC
Martin Orozco
Bob Bamford - KABC
Terry Maughmer - CH2M Hill

Announcements/Introduction

Bill Draper introduced William Mahoney, a new SAC member who is representing the Orange County League of Cities.

Review of the Minutes of the May 17, 1989 Meeting

The minutes of the May 17, 1989 meeting were mailed to the SAC members. Bill Draper requested comments, additions or corrections to the minutes. There were no comments, additions or corrections and the minutes stand as written.

Special SAC Meeting

Tom Mullen requested that the SAC postpone regular agenda items in favor of addressing other items. Mullen proposed holding a special SAC meeting to discuss non-technical issues. A list of those issues follows:

- SAC members complained that decisions are made without SAC involvement.
- Agencies are not addressing questions and concerns of SAC members and the community.
- Frequent staff changes in agencies.
- SAC members want to know who at agencies are making decisions.
- Confusion over DHS/EPA decision making process.
- Want outline of key decision points.
- PRP participation in process.

SAC members agreed to hold a special SAC meeting to discuss issues with agencies. Bill Draper said he would set a date for the meeting which is tentatively scheduled before the next regular SAC meeting.

Defendants Technical Committee

Penny Newman requested a member of the SAC attend the DTC meetings. Jan Meyer said she would look into that.

Quarry Blasting

Local resident concerned about quarry blasting. Beth Jines said she is still waiting for a report which she promised to forward to Leannah Bradley. Talulah Sherer agreed to arrange a meeting with the private citizen(s), agency staff and county experts to discuss the issue.

FREEZE TECHNOLOGY

There will be a SITE demonstration of the freeze technology process in August. A fact sheet on the process has been produced and distributed. The SITE demonstration will probably take place in conjunction with the August SAC meeting.

OTHER ITEMS

The SAC members agreed that the items on the June 21 agenda will be taken up at the next regular SAC meeting.

A special SAC meeting will be scheduled to discuss the issues listed in the minutes. That meeting will occur before the next regular SAC meeting.

The next regular SAC meeting is scheduled for July 19, 1989 at 10:00am.

To Steve

Date 2-22-89 Time 4:10

While You Were Out

M John Sheldon

of _____

Phone (714) 779-2822

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTED TO SEE YOU	<input type="checkbox"/>	Ret'd your call	<input type="checkbox"/>

Message Will be at the

phone number the
rest of the day -
General Discussion
on blasting @ Hubbs Operator Dy.

Trying to get me to say that
it was a problem re. Stringfellow

RECEIVED

MAR 29 1989

March 8th, 1989

Page 1 of 6

RIVERSIDE COUNTY
PLANNING DEPARTMENT

Steven Kupferman;

I trust you recieved my letter of January 8th, 1989. In the event that you did not recieve it, I am enclosing a copy.

As you can see, there is a request to respond to five questions on page 3. To date there have been no answers. Melba Dunlap, supervisor, second district has sent the letter to the County Health Dept. Steve Kupferman of Riverside County Planning Dept. has said he will correspond. Also State Associated Geologist, Mike Sorensen has told me he will answer in a letter.

The following is a list of quotes that point some incongruiting that may help you to verify my concerns and ultimatly quell them.

Washington Post
Sunday Nov. 16, 1986
Michael Weiskopf

Originally Stringfellow Acid Pits was welcomed as a lure to industry and jobs. Instead Stringfellow brought environmental havoc to Glen Avon: Property loss, livestock deaths & human illness, including high rates of cancer & heart trouble. More ominous is the poisonous horizontal plume that is spreading underground as fast as 3ft a day toward the Chino Basin, which provides water for 500,000 people w/in 2 30mi radius.

Ordinance NO 555
Implementing the surface mining
& Reclemation Act of 1975
Sec. 1

The board of supervisors herby finds and declares that the extraction of minerals is essential to the continued economic well-being of the County of Riverside and that it is the purpose and intent of this ordinance to regulate all surface mining operations in the unincorporated area of the County of Riverside.

Ordinance NO 555
1975
Sec 2-d

State mining and Geology Board finds some mines exempt from the provisions of the CA Surface Mining & Reclemation Act of 1975 because they are of an infrequent nature and involve only minor surface disturbances.

Tues. Jan. 24th, 1989

Conversation:

Steve Kupferman & John Sheldon

Steve Kupferman Engineering Geologist, Planning Dept., County of Riverside; Agreed that 2 blasts per year or 10,000/tons removal could be considered infrequent blasting w/minor surface disturbance. He was more concerned with the impact upon the extraction wells.

Tues. Jan. 17th, 1989

Conversation:

Beth Jines & John Sheldon

Beth Jines, DHS, TSCD referred me to Mike Sorensen, Associate Engineering Geologist for the state, and told me that he over sees and monitors all blasting at Hubbs quarry.

Wed. Feb. 15th, 1989

Conversation:

Mike Sorenson & John Sheldon

After SCC Meeting

Mike Mike Sorensen said the blasts are of low intensity and on an infrequent basis. We discussed a worst case scenario. i.e. Frequent blasting and intense blasting. He agreed that it could be hazardous. I asked him if the blasts were being monitored by him or any other government agent and he said "No, Hubbs monitors their own blasts."

Tues. Jan. 31, 1989

On Jan. 31, 1989 I asked Beth Jines of DHS, TSCD if there had been a blast at the Hubbs Quarry the day before. (1-30-89) She replied "They wouldn't blast w/out notifying me or the DHS." Later that day we ran into each other at the guard trailer at the entrance to Stringfellow Acid Pits and I asked the guard, Patrolman Lewis, if there had been a blast. He said "Yes, there was a blast at 3:30 am (Mon. Jan. 30, 1989) Just Like NAM, Rock flew 300ft in the air."

Beth Jines maintained it was safe even though she was not notified.

Thurs. Jan. 26, 1989

Conversation:

Chuck Strey & John Sheldon

Chuck Strey of Riverside County Health Dept. said that all responsibility for blasting near the acid pits lies on the state.

Wed Feb. 1, 1989
Re-Agenda 9-17-86
SAC Com. Meeting

Chuck Strey said that in 1986 state and county officials tried to stop Hubbs from blasting...

Tues. Jan 17, 1989
Conversation:
Beth Jines & John Sheldon

Beth Jines, DHS, TSCD said that Hubbs Quarry has only rock that meets specifications for breakwater rip rap.

Wed. Jan. 18, 1989
Conversation after SC Meeting:
Salar Niku & John Sheldon

Salar Niku of Tetra Tech. said that run-off due to quarry activity speeds up leaching.

Wed. Feb. 1, 1989
Conversation:
Steve Kupferman & John Sheldon

Steve Kupferman said he was not informed of the blast. "If they intend to expand or upgrade the activity at the quarry I would require an EIR and noise and vibration studies and it would be very difficult for them to expand."

Ordinance NO 555
Implementing the Surface Mining Act of 1975

No person who has obtained a vested right to conduct surface mining operations prior to Jan. 1, 1976 shall be required to secure a permit pursuant to the provisions of this ordinance as long as such vested right continues and no substantial change is made in that operation.

Any substantial change in the surface mining operation subsequent to Jan. 1, 1976 shall require the granting of a permit pursuant to this ordinance.

LA Times
June 6, 1987

A state appointed geologist surveyed the Stringfellow site before it opened, concluding it was underlain by impermeable granite bedrock that provided a safe and permanent resting place for toxic chemicals.

Later studies showed that the site was actually underlain by alluvium and fractured bed rock.-
A clear pathway for leaking waste.

Dept. Atty. Gen.
Donald Robinson

We have more than enough evidence to show that the type of investigation that was done at the site was considered to be a detailed geologic investigation.

SAC Com. Meeting
Feb. 15, 1989

Ed Ekholm, Tech. Program Mgr. for the defendants said that "The geology has never been thoroughly investigated beneath the community (Glen Avon)... I'm not satisfied with the knowledge we have now."

Washinton Post
Sunday Nov. 16, 1986
Michael Weiskopf

The toxic waste has seeped from the pits despite the best intentions and the considerable resources of the state government, and the Federal Superfund Hazerdous-Waste Clean Up Program, wich have spent \$34 million.

As a result the plume of carcenogenic chemicals has kept advancing and, with it, so has the estimated price of the (clean-up) now as high as \$330 million.

Press Enterprise
Wed. Jan. 18, 1989

Only between \$3 million and \$4 million remains of the \$100 million bond fund created by voters in 1984.

Bob Borzelleri, spokesman for the State Health Dept, said the \$100 million bond account "Was never intended to complete the chemical Mop Ups."

Hopefully, from reading these quotes you will all see the great inconsistencies. It is not too difficult to see where the money is going. One department studies the other departments study. You all have your picture next to the word tautology in the dictionary. Somebody; please stick your neck out and speak up for the absolute wrongness of blasting common quarry rock next to a \$330 millioe . 100 year toxic waste clean up project.

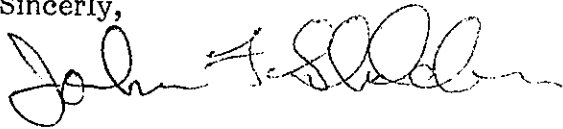
1 year ago there was little or no activity at the Hubbs quarry. Since January of this year it has been a cycle of drill, blast and truck.

The saga of Stringfellow illustrates the limited capability of government to undo mans abuse of nature. It exemplifies a record of miscalculation, missed opportunity, mismanagement, beauracratia inertia, and technologic error.

I plead with you to ponder th absurdities that involve blasting and surface mining next to a toxic waste dump of this magnitude.

At this time, drilling for future blasting continues. Accelerated removal of quarried rock abounds. Tax payers dollars continue to be consumed. Pollutants defy containment. I deserve a response and rely on your plenary jurisdiction.

Sincerly,

A handwritten signature in cursive script, appearing to read "John Sheldon".

JOHN SHELDON

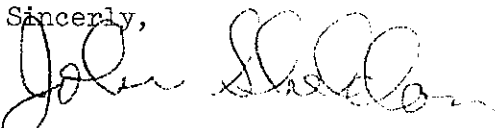
8531 Mission Blvd.
#13
Riverside, Ca. (92509

or call me at: (714) 746-2562

P.S.

As environmentalist or biologist or ecologist in our college-years try to remember how we were going to clean up the world. Try not to be tied down by the beauricratic fly paper. I think we all know that it is absolutely ludicrous to be blasting next to this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Sheldon". The signature is written in dark ink and is positioned above the printed name.

John Sheldon

DEPARTMENT OF HEALTH SERVICES

107 SOUTH BROADWAY, ROOM 7011
LOS ANGELES, CA 90012
(213) 620-2380



(916) 323-2945

December 3, 1987

Mr. Steve Kupferman
Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Dear Mr. Kupferman:

The State of California, Department of Health Services (DHS) owns several properties in the vicinity of the Stringfellow Quarry. In addition, DHS has lead responsibility for the mitigation of the Stringfellow Hazardous Waste Site also located next to the Stringfellow Quarry. During the course of investigation into the best mitigation method for the Stringfellow Site and pursuant to Health and Safety Code Section 25358.3, DHS and the Environmental Protection Agency, (EPA) installed several extraction and monitoring wells throughout Pyrite Canyon. During the course of operation of the Stringfellow Quarry, several of these wells have been buried under rocks and quarry debris and have been run over by trucks and rock moving equipment. This destruction of public property is a continuing problem and is substantially impeding the Department's efforts to protect the public health and safety. To help resolve these and other similar problems, the DHS recommends that, as part of the Stringfellow Quarry Reclamation Plan, the following items be included:

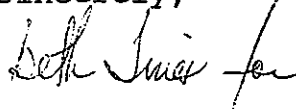
- ✓ o 1 No DHS/EPA monitoring or extraction wells or equipment be damaged or destroyed during reclamation or quarry operation.
- ✓ o 2 Reclamation and operation shall include the restoration of all EPA/DHS monitoring wells and equipment already damaged or destroyed by quarry operation.
- sof o 3 DHS will be reconstructing Pyrite Creek as it runs beside the quarry to divert surface water from the site area to the flood control channel near Highway 60. The quarry operation and reclamation process should not impact, alter or destroy this reconstruction project.
- ✓ o 4 The well used for quarry operation water supply should be tested for chemical contamination yearly. If water usage from the well exceeds 20 gallons per day, the water should be tested quarterly to insure appropriate usage for quarry operations.

Mr. Steve Kupferman
December 3, 1987
Page two

- ✓ o 5 The Pyrite Creek channel should be maintained and cleared of vegetation yearly.
- ✓ o 6 The property owner should notify the County of any spills of fuels or other chemicals which may occur during operation or reclamation.
- ✓ o 7 The property owner shall provide access to DHS/EPA monitoring and extraction wells as necessary for site and extraction system operation during and after the reclamation project. This access shall include sufficient area around each well for truck access.

✓ I appreciate the opportunity to comment on this reclamation plan and hope these recommendations may be included in the eventual quarry closure plan. If you have any questions, please contact Beth Jines of my staff, at (916) 323-2990.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ted Rauh", followed by a horizontal line.

Ted Rauh, Manager
Stringfellow Project

County of Riverside

DEPARTMENT OF HEALTH

RECEIVED

NOV 17 1987
11-13-87

TO:

RIVERSIDE COUNTY PLANNING DEPT.
Steve Kupferman, Geologist

DATE:

RIVERSIDE COUNTY
PLANNING DEPARTMENT

FROM:

~~11-16-87~~
Earl Tuntland, Environmental Health Services Manager

RE:

RECLAMATION PLAN 123

Environmental Health Services (EHS) has reviewed the proposed Reclamation Plan No. 123 for the Stringfellow Quarry and we have the following comments:

1. The plan should encompass approximately 60 acres as indicated on Appendix D, rather than the 227.55 acres noted on the cover memo. Environmental Health Services comments reflect the quarry area only and does not address the Stringfellow disposal site area.
2. Drainage (surface) from the quarry area should be directed well away from the Stringfellow site area and should be coordinated with the State Department of Health Services, Toxic Substances Control Division, Stringfellow Site Management Team and the Riverside County Flood Control and Water Conservation District.
3. Any future blasting activities should be coordinated with the State Department of Health Services to assess impacts to the Stringfellow site.

If you have any questions concerning our comments, please contact me at 787-6543.

ET:tac

cc: State Department of Health Services
Toxic Substances Control Division
ATTN: Mr. Ted Rawh
John Fanning, Director
Environmental Health Services

cc

FIRST AND SECOND LETTER ENCLOSURE

CONGRESSMAN GEORGE E. BROWN
SENATOR ROBERT PRESLEY
STATE ASSEMBLYMAN STEVE CLUTE
STATE ASSEMBLYMAN DAVE KELLEY
COUNTY SUPERVISOR MELBA DUNLAP
COUNTY SUPERVISOR WALT ABRAHAM
COUNTY SUPERVISOR KAY CENICEROS
COUNTY SUPERVISOR PAT LARSON
COUNTY SUPERVISOR A. NORTON YOUNGLOVE
STEVEN KUPFERMAN ENGINEERING GEOLOGIST
CHUCK STREY RIVERSIDE COUNTY HEALTH DEPT.
E.P.A. KAREN UENO
E.P.A. PHIL BOBEL
E.P.A. PAULA BISSON
E.P.A. JEANNE DUNN
STATE DEPARTMENT OF HEALTH :
JAN MEYER
WILLIAM VANCE
KAREN SMITH
MARGE ROUCH
TONY LUAN
SUE SHER
TED RAUH
GARY POLOKOVIC PRESS ENTERPRISE
BILL HAVERT SIERRA CLUB
LARRY LAPRE AUDUBON SOCIETY
WILLIAM REILLY FEDERAL E.P.A.
PENNY NEWMAN COMMUNITY LEADER

SECOND LETTER ENCLOSURE

GOVERNOR GEORGE DEUKMEJIAN
ATTORNEY GENERAL VAN DE KAMP
FRED WOOCHEER, CENTER FOR LAW IN THE PUBLIC INTEREST
KIM MURPHY, L.A. TIMES
PAUL JACOBS, L.A. TIMES
PAUL IDEMAN, U.S. DISTRICT JUDGE
DONALD ROBINSON, DEPUTY ATTY. GEN.
TALLULLA SHERER, ASST. TO SUPERVISOR, DIST. 2 COUNTY OF RIVERSIDE
JOAN RADOVICH, RIVERSIDE PRESS ENTERPRISE

cc

CONGRESSMAN GEORGE E. BROWN
SENATOR ROBERT PRESLEY
STATE ASSEMBLYMAN STEVE CLUTE
STATE ASSEMBLYMAN DAVE KELLEY
COUNTY SUPERVISOR MELBA DUNLAP
COUNTY SUPERVISOR WALT ABRAHAM
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BILL HAVERT SIERRA CLUB
LARRY LAPRE AUDUBON SOCIETY
WILLIAM REILLY FEDERAL E.P.A.
PENNY NEWMAN COMMUNITY LEADER

STRINGFELLOW QUARRY - RECLAMATION PLAN

NOTE TO FILE:

Stringfellow Quarry is a vested surface mining operation per the Surface Mining and Reclamation Act of 1975 and Riverside County Ordinance 555. The owners of Stringfellow Quarry have been required to file a Reclamation Plan with Riverside County Planning Department as required by Ordinance 555. A Reclamation Plan has been filed but has not yet been approved.

The main purpose of the Reclamation Plan is to illustrate how the property would be reclaimed/improved following mining activity. A schedule for the reclamation would be determined by the Planning Department.

An annual inspection permit is required. Then it can be said that the main function of the Building and Safety Department is to inspect the property to monitor compliance with the conditions of approval as set by the Planning Department. Any substantial changes of the operating conditions could lead to a loss of vested rights and the need to file for a Surface Mining permit under Ordinance 555.

cc: Steve Kupferman
Melba Dunlap, Supervisor District II

To Whom it may Concern;

January 8, 1989

RECEIVED
FEB 15 1989

I am a new resident of Glenn Avon. It was brought to my attention shortly after my move, that there is a rock Quarry, (Hubbs), that is involved in blasting, adjacent to the Stringfellow Acids pits. To me, this seems like playing with fire next to a gasoline can.

I contacted several people on the State and County levels after the Stringfellow community meeting of January 18, 1989.

At this time I have a wide response to my concerns, from "Yes, there are potential problems"; to "We cannot argue with the irrefutable data gathered by State Geologist that declares safe blasting".

Apparently there is a lack of continuity within the different Govt. agencies. Even if only a few people within the clean up committee think there are potential problems with blasting, then I believe that we need further monitoring and further studying of this volatile area.

I think we need to approach it from a "Worst case scenerio angle". If the Hubbs Quarry is operating under Grandfather clauses wherin they do not need permits for blasting, then we need to circumvent those clauses. A threat to public safety must pre-empt archiac and self serving "No permit" laws.

In 1986, Hubbs Quarry had a contract with the Army Corps of Engineers to provide 25-30,000 tons of rock for rebuilding San Pedro Harbor. Jan Meyers told me that Hubbs was the only Quarry with rock that met Specifications for that type of Construction. With very little research I found at least 5 other Quarries that also had spec. grade rock.

From the review of minutes from August 29, 1986 Stringfellow advisory committee meeting, page 5, " The County and the State tried to find a way to stop blasting, but could not legally do so ",

So the state retained a Geologist named Dick Jones to monitor a blast. Apparently everything proved to be safe. However, each subsequent blast occures in a different location and all blast have different intensities. To insure safety, the state was able to impose a list of conditions for blasting. To date, I have talked to no one who is monitoring these conditions.

If this was a new Quarry, the conditions would be much more stringent. But I believe permits for blasting next to toxic acid pits should be the toughest and most safe of all permits attainable.

to the Jones

*Under Juris. of EPA
DOHS*

In the past few weeks, while talking to Govt. people from E.P.A. to D.H.S. to County Health, County Planning, County Supervisors, I let it be known that as a resident and potential victim, I would like to be notified of any upcoming blast at the Quarry. "No Problem" seemed to be the most common answer.

At 3:30 p.m. Monday, January 30, 1989, there was a blast at Hubbs Quarry.

I have contacted people on state and county levels to find out why I wasn't notified. The answer is that they were not notified.

In closing, I would like to ask a few questions:

- (1) Who is monitoring the blasting next to this ^{shelter} toxic acid pit?
- (2) Who is monitoring the tonnage removed from ^{what's to be enforced} this area?
- (3) Who is monitoring the effects of extra run-off (due to lack of water shed) into the toxic plume?
- (4) Who is monitoring the effects of blasting ^{state} on the extration wells?
- (5) Who is monitoring the realease of soil ^{gas} ^{health} due to vibrations generated by a blast?

Please respond soon; they are preparing for another blast.

John Sheldon

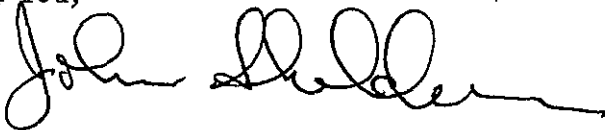
P.O. Box 13

8531 Mission Blvd.

Riverside, Ca. 92509

or call me at: (714) 746-2562

Thank You,



cc

CONGRESSMAN GEORGE E. BROWN
SENATOR ROBERT PRESLEY
STATE ASSEMBLYMAN STEVE CLUTE
STATE ASSEMBLYMAN DAVE KELLEY
COUNTY SUPERVISOR MELBA DUNLAP
COUNTY SUPERVISOR WALT ABRAHAM
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STEVEN KUPFERMAN ENGINEERING GEOLOGIST
CHUCK STREY RIVERSIDE COUNTY HEALTH DEPT.
E.P.A. KAREN UENO
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LARRY LAPRE AUDUBON SOCIETY
WILLIAM REILLY FEDERAL E.P.A.
PENNY NEWMAN COMMUNITY LEADER

RIVERSIDE COUNTY PLANNING DEPARTMENT

DATE: November 4, 1987

TO: Assessor
Building and Safety
Surveyor
Road Department
Health
Fire Protection
Flood Control District
Department of Fish and Game

Commissioner Walter Smith

RECLAMATION PLAN 123 - Paul Hubbs
Construction Company - Tom Dodson &
Associates - Glen Avon District - Second
Supervisory District - Stringfellow
Quarry - 227.55 Acres - Reclamation Plan
for Quarry with Vested Rights

Please review the case described above, along with the attached information. A public hearing has not yet been tentatively scheduled.

Your comments and recommendations are requested by December 4, 1987 in order that we may include them in the staff report for this particular case.

Should you have any questions regarding this item, please do not hesitate to contact Steve Kupferman at 787-1377
Geologist

COMMENTS:

DATE: _____ SIGNATURE _____

PLEASE print name and title _____

RIVERSIDE COUNTY PLANNING DEPARTMENT

DATE: November 4, 1987

TO: Assessor
Building and Safety
Surveyor
Road Department
Health
Fire Protection
Flood Control District
Department of Fish and Game

Commissioner Walter Smith

RECLAMATION PLAN 123 - Paul Hubbs
Construction Company - Tom Dodson &
Associates - Glen Avon District - Second
Supervisory District - Stringfellow
Quarry - 227.55 Acres - Reclamation Plan
for Quarry with **Vested Rights**

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Should you have any questions regarding this item, please do not hesitate to contact Steve Kupferman at 787-1377
Geologist

COMMENTS:

DATE: _____ SIGNATURE _____

PLEASE print name and title _____

TO: STEVE K.

FR: MARK

RE: STRINGFELLOW RECLAMATION PLAN

I've reviewed the letter & have following concerns:

I. Can only reference reclamation activities, not operation of site

II. Conditions recommended by DHS can be utilized only to extent that they affect reclamation plan.

Condit. #1 — delete "or quarry operation"

Condit #2 — delete "and operation"

Condit. #3 — delete "~~the~~ quarry operation" and "in the last sentence."

Condit #4 — Delete entirely. Check with Health Dept. to see if well water is tested annually anyway!

Condit #5 — I feel this is OK as a maintenance reqt. under reclamation plan.

Condit. #6 — OK

Condit #7 — Adjust verbage to read — "As part of reclamation program the Property Owner shall provide"

To Steve K.

Date Tues 9/15 Time 9am

While You Were Out

M Tony Paredes

of Paul Hubbs Construction Co.

Phone (714) 877-2726

TELEPHONED	PLEASE CALL	<input checked="checked" type="checkbox"/>
CALLED TO SEE YOU	WILL CALL AGAIN	<input type="checkbox"/>
WANTED TO SEE YOU	Ret'd your call	<input type="checkbox"/>

Message.....

.....
.....
.....
.....
.....
.....

2

Operator

To Steve

Date 9-15-87 Time 9:50

While You Were Out

M Rosa Welles

of _____

Phone 682-5550

TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	
CALLED TO SEE YOU	<input type="checkbox"/> WILL CALL AGAIN	
WANTED TO SEE YOU	<input type="checkbox"/> Ret'd your call	

Message Habbs Reclamation
Plan.
Told for O.A. is in

**RIVERSIDE COUNTY
PLANNING DEPARTMENT**

August 27, 1986

Tom Dodson and Associates
290 N. "D" Street, Suite 601
San Bernardino, CA 92401

Re: Stringfellow Quarry

Dear Mr. Dodson:

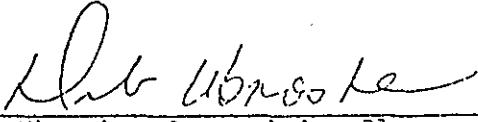
In response to your letter dated August 1, 1986, Section 3 of Ordinance 555 states "unless exempted by the provisions of Section 2 or Section 12, no person, firm, corporation or private association shall conduct surface mining operations in the unincorporated area of the County of Riverside without first obtaining a permit to do so".

Enclosed please find a copy of Ordinance 555. Reference in particular Sections 2 and 12. Section 12 states should a vested right exist, a reclamation plan may be submitted without a mining permit. The County Planning Department has determined that a vested right does indeed exist with respect to the Stringfellow Quarry. Processing of your reclamation plan will begin as soon as the Planning Department receives a check for \$1,000.00 (see Section 12).

Should you have any questions, or if I can provide any additional information, please feel free to contact me at (714) 787-6181 or -6182.

Very Truly Yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Roger S. Streeter, Planning Director


Deb Ubnoske, Supervising Planner

DU:ap
Enclosure

TOM DODSON & ASSOCIATES

Tom Dodson and Associates
290 N. "D" St. Suite 601
San Bernardino, CA 92401
(714)884-9700

August 1, 1986

Ms. Debbie Ubnoske
Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, California 92501

Dear Ms. Ubnoske:

I appreciated the insight and assistance that you provided at our meeting earlier today regarding the Stringfellow Quarry issue. As you requested, I am transmitting this letter requesting formal clarification of the procedure for review and acceptance of a surface mining reclamation plan under circumstances where (no permit must be obtained at the same time.) Depending on the outcome of the current negotiations between Mr. Hubbs' firm and the County, I am sure that the reclamation plan that I provided you today will be submitted for review and approval. It is not yet clear just what type of approval will be required nor what filing fees should be supplied. I look forward to receiving a prompt response to this request so we can initiate the filing as soon as the "vested right" issue is resolved. In the meantime if I can be of any help to you in this matter, please feel free to call me at the above number.

Sincerely,



Tom Dodson

cc: Tony Peredes, Paul Hubbs Construction Company

RECEIVED
AUG 1 1986

RIVERSIDE COUNTY
PLANNING DEPARTMENT

THOMPSON & COLEGATE

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

3610 FOURTEENTH STREET

P. O. BOX 1299

RIVERSIDE, CALIFORNIA 92502

(714) 682-5550

H. L. THOMPSON
(1885-1962)

ROY W. COLEGATE
(1906-1960)

JAMES M. WORTZ
OF COUNSEL

R. H. MATHESON, JR.
OFFICE ADMINISTRATOR

FAX (714) 781-4012

DON C. BROWN*
JAMES D. WARD*
LEIGHTON B. TEGLAND
DON G. GRANT*
J. E. HOLMES III
ROBERT B. SWORTWOOD
JOHN W. MARSHALL
JOHN A. BOYD
TIMOTHY J. CORCORAN
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GEOFFREY H. HOPPER
WALTER L. FARMER
DOUGLAS M. SCARTHY
MICHAEL A. GOLDWARE
MICHAEL J. MARLATT
JAMES R. PARRETT
LARRY E. WHITE
PAUL J. BENOIT
LORI E. HUFF
JOAN F. ETTINGER
NORA I. TU-WILLIS
SUZAN E. SCHULTZ
M. WAYNE TUCKER
ANDREW J. HOY

*A PROFESSIONAL CORPORATION

REPLY

ATTENTION: Nora I. Tu-Willis

August 26, 1987

Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, California 92501

Attention: Roger S. Streeter, Planning Director
Deb Ubnoske, Supervising Planner

Re: Stringfellow Quarry Surface Mining Reclamation Plan

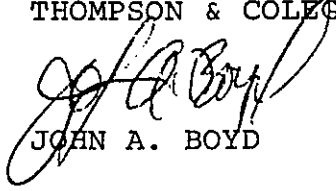
Dear Mr. Streeter and Ms. Ubnoske:

This firm represents the interests of Paul Hubbs Construction Company. On or about August 22, 1986 Paul Hubbs Construction Company submitted copies of its reclamation plan as required under Public Resources Code Section 2776. The reclamation plan was returned for failure to provide a \$1,000.00 filing fee.

It is our position that the Planning Department does not have the authority to impose a \$1,000.00 filing fee in that it has been clearly established that Hubbs Construction Company has a vested right to conduct surface mining operations and the imposition of the fee is an unreasonable attempt to deny Hubbs of its vested rights and prevent it from complying with the provisions of the Surface Mining and Reclamation Act of 1975.

If your opinion is to the contrary, please advise us accordingly and state the basis for your opinion. Thank you for your cooperation.

THOMPSON & COLEGATE


JOHN A. BOYD

NTW/sdk

RECEIVED

AUG 28 1987

RIVERSIDE COUNTY
PLANNING DEPARTMENT

RIVERSIDE COUNTY PLANNING DEPARTMENT

September 16, 1986

Paul Hubbs Construction Company
140 West Valley Boulevard
Rialto, California 92376

Attn: Tony Paredes

Re: Stringfellow Quarry Surface Mining
Reclamation Plan

Dear Tony:

Please find enclosed copies of your reclamation plan submitted August 4, 1986. On August 22, 1986 I called and requested the \$1000.00 fee that should have been submitted with your reclamation plan. As you have not, as of this date, submitted the fee, nor made an attempt to contact this office to discuss this matter, we cannot hold this application any longer.

Should you have any questions, or if I can be of any assistance, please feel free to contact me at (714) 787-6181 or -6182,

Very Truly Yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Roger S. Streeter, Planning Director



Deb Ubnoske, Supervising Planner

DU:ap
Enclosure

THOMPSON & COLEGATE

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JAMES M. WORTZ
OF COUNSEL

R. H. MATHESON, JR.
OFFICE ADMINISTRATOR

FAX (714) 781-4012

REPLY 84-608.8
ATTENTION: Nora I. Tu-Willis

August 27, 1987

Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, California 92501

Attention: Roger S. Streeter, Planning Director
Deb Ubnoske, Supervising Planner

Re: Stringfellow Quarry Surface Mining Reclamation Plan

Dear Mr. Streeter and Ms. Ubnoske:

This is an update to my letter sent only yesterday on August 26, 1987. Tony Paredes of Paul Hubbs Construction has just brought over additional information relating to the matter of a filing fee on reclamation plans. At the time Paul Hubbs Construction submitted its reclamation plans for approval to the County Planning Department, it received an information sheet which expressly stated that "there is no fee for filing a reclamation plan only in cases of vested rights". Based on this representation of the County Planning Department, Paul Hubbs Construction believed that it was not required to provide a filing fee to submit its reclamation plan for approval. Hubbs Construction is very concerned that payment of a fee would result in a relinquishment of their vested rights.

I would appreciate it if you would send us a response to our letters at your earliest convenience.

THOMPSON & COLEGATE

Nora Tu-Willis for
JOHN A. BOYD

NTW/sdk

RECEIVED
AUG 28 1987

RIVERSIDE COUNTY
PLANNING DEPARTMENT